EXHIBIT 11

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ALC 3328-CON
First Inventor	John Madsen
Title	Ingress Traffic Flow Control in a Data Communications System
Express Mail Label No.	

ADDRESS TO: Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

1. ☑ **Fee Transmittal Form** (e.g., PTO/SB/17)
   (Submit an original and a duplicate for fee processing)
2. ☐ **Applicant claims small entity status.**
   See 37 CFR 1.27.
3. ☑ **Specification**   [Total Pages ___14___]
   Both the claims and abstract must start on a new page
   (For information on the preferred arrangement, see MPEP 608.01(a))
4. ☑ **Drawing(s)** (35 U.S.C. 113)   [Total Sheets ___1___]

5. **Oath or Declaration**   [Total Sheets ___2___]
   a. ☑ Newly executed (original or copy)
   b. ☐ A copy from a prior application (37 CFR 1.63(d))
      (for continuation/divisional with Box 18 completed)
      i. ☐ DELETION OF INVENTOR(S)
         Signed statement attached deleting inventor(s)
         name in the prior application, see 37 CFR
         1.63(d)(2) and 1.33(b).

6. ☑ **Application Data Sheet.** See 37 CFR 1.76

7. ☐ **CD-ROM or CD-R** in duplicate, large table or
   Computer Program *(Appendix)*
   ☐ Landscape Table on CD

8. **Nucleotide and/or Amino Acid Sequence Submission**
   (if applicable, items a. – c. are required)
   a. ☐ Computer Readable Form (CRF)
   b. ☐ Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☑ **Assignment Papers** (cover sheet & document(s))
   Name of Assignee ALCATEL LUCENT

10. ☐ **37 CFR 3.73(b) Statement**   ☐ **Power of Attorney**
    (when there is an assignee)

11. ☐ **English Translation Document** *(if applicable)*

12. ☐ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    ☐ Copies of citations attached

13. ☐ **Preliminary Amendment**

14. ☑ **Return Receipt Postcard** (MPEP 503)
    (Should be specifically itemized)

15. ☐ **Certified Copy of Priority Document(s)**
    (if foreign priority is claimed)

16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i).
    Applicant must attach form PTO/SB/35 or equivalent.

17. ☐ **Other:** _____

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

☐ Continuation   ☐ Divisional   ☐ Continuation-in-part (CIP)   of prior application No.: ....

Prior application information: Examiner _____   Art Unit: _____

19. CORRESPONDENCE ADDRESS

☑ The address associated with Customer Number: [76614]   **OR**   ☐ Correspondence address below

Name	
Address	
City	
State	
Country	
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Zip Code	
Email	

Signature	*[signature]*	Date: January 27, 2012
Name (Print/Type)	Terry W. Kramer	Registration No. (Attorney/Agent) 41,541

PTO/SB/17 (02-07)
Approved for use through 02/28/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **FEE TRANSMITTAL For FY 2007**	Complete if Known	
	Application Number	Unassigned
	Filing Date	October 18, 2007
	First Named Inventor	John Madsen
☑ Applicant claims small entity status. See 37 CFR 1.27	Examiner Name	Unassigned
	Art Unit	Unassigned
TOTAL AMOUNT OF PAYMENT ($) $1250.00	Attorney Docket No.	ALC 3328-CON

METHOD OF PAYMENT (check all that apply)

☐ Check   ☑ Credit Card   ☐ Money Order   ☐ None   ☐ Other (please identify): _____

☑ Deposit Account   Deposit Account Number: 500578   Deposit Account Name: Terry W. Kramer

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below   ☐ Charge fee(s) indicated below, **except for the filing fee**

☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17   ☑ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	**Fees Paid ($)**
Utility	300	150	500	250	200	100	$1250.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 or HP = _____	x _____	= _____	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 or HP = _____	x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x	_____	= _____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): _____	_____

SUBMITTED BY

Signature	[signature]	Registration No. (Attorney/Agent) 41,541	Telephone 703-519-9801
Name (Print/Type) Terry W. Kramer			Date January 27, 2012

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/14 (11-08)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ALC 3328-CON
	Application Number	

Title of Invention	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

Applicant 1

Applicant Authority ● Inventor   ○ Legal Representative under 35 U.S.C. 117   ○ Party of Interest under 35 U.S.C. 118

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ALC 3328-CON
	Application Number	

Title of Invention	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

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All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button.   `Add`

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐	An Address is being provided for the correspondence Information of this application.

Customer Number	76614	
Email Address	mail@krameramado.com	`Add Email` `Remove Email`

Application Information:

Title of the Invention	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM	
Attorney Docket Number	ALC 3328-CON	**Small Entity Status Claimed** ☐
Application Type	Nonprovisional	
Subject Matter		
Suggested Class (if any)		**Sub Class (if any)**
Suggested Technology Center (if any)		
Total Number of Drawing Sheets (if any)	1	**Suggested Figure for Publication (if any)**	1

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐	**Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S. C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
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EFS Web 2.2.3

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ALC 3328-CON
	Application Number	

Title of Invention	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

Customer Number	76614

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	11907871	2007-10-18

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

			Remove
Application Number	Country[i]	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			⦿ Yes ◯ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.
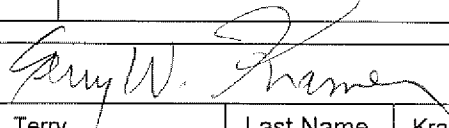
Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1

If the Assignee is an Organization check here.	☒

Organization Name	Alcatel-Lucent

Mailing Address Information:

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Email Address			

Additional Assignee Data may be generated within this form by selecting the **Add** button.

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

| **Application Data Sheet 37 CFR 1.76** | Attorney Docket Number | ALC 3328-CON |
| | Application Number | |

| Title of Invention | INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM |

| **Signature** | *Terry W. Kramer* | | | Date (YYYY-MM-DD) | 2012-01-27 |
| First Name | Terry | Last Name | Kramer | Registration Number | 41541 |

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

Field of the invention

[001]   The invention is directed to data packet communications systems, and in particular to controlling the flow of incoming data packets to data processing resources in such systems.

Background of the Invention

[002]   Flow control is performed on ingress data packets when the incoming rate of the data packets over a given period of time exceeds the rate at which the data packets can be processed. The excessive incoming rate of data packets results in increased fill-levels of ingress queues to the data processing resources, any of which levels can cause flow control measures to be initiated when the level exceeds a predetermined threshold. One flow control technique used in data communications that is in accordance with the aforementioned principle is backpressure signaling.

[003]   A simple backpressure signaling technique is to use on-off signaling. According to this technique, a receiver queue of a data communications system, upon crossing a fill-level threshold, causes a backpressure signal (e.g. halt) to be generated that is sent to the source of the packets. The backpressure signal (halt) indicates to the source that it should suspend sending packets to that queue until further notice, which will be given in the form of another backpressure signal (e.g. resume). In some cases there can be more than one packet source, and in those cases the backpressure signal would normally be sent to all of those sources. A problem with this simple on-off backpressure signaling is that all traffic is treated identically. That is, high-priority, network-control traffic undergoes the same backpressure as low-priority, best-effort traffic, to the point where a flood of low-priority traffic can halt the flow of low-bandwidth, high-priority traffic.

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

Impeding the flow of high-priority traffic can have service affecting implications such as network instability and lost data.

[004] More advanced backpressure signaling techniques are known that use more than simple on-off signaling. These techniques include those that apply flow control to data packets of only certain priorities. According to such techniques, when the fill-level threshold of a priority-specific receiver queue is crossed, traffic of the corresponding priority is halted using on-off backpressure signaling. This approach is able to ensure that low-priority traffic does not impede the flow of higher-priority traffic. However, a disadvantage of this approach is that ingress bandwidth may go unutilized. For example, low priority traffic may be halted when a corresponding fill-level threshold is crossed even when no higher priority traffic is present.

[005] Accordingly, there is a need to provide ingress traffic flow control that gives precedence to high-priority traffic over low-priority traffic while minimizing unutilized ingress bandwidth.

Summary of the Invention

[006]   It is an object of the invention to provide improved method and apparatus for ingress traffic flow control in a data communication system.

[007] According to an aspect of the invention there is provided a traffic flow control system for controlling a flow of ingress data packets to be transmitted over a serial link, the system comprising: a plurality of ingress buffers, one or more of which for storing a respective type of data packets in the flow of ingress data packets; a plurality of rate limiters, one or more of which for providing an amount of rate limiting to a flow of data packets from a respective ingress buffer, the amount of rate limiting being dependent upon a nominal amount of rate limiting adjusted by a weighting factor corresponding to that rate limiter;   a

2

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

multiplexer for receiving data packets from the plurality of rate limiters and serially multiplexing the data packets for transmission over the serial link; and

a controller operable to receive a backpressure message indicating a fill-level state of receive queues for receiving data packets from the serial link, and being operable to determine weighting factors for the rate limiters according to the backpressure message.

[008] According to an aspect of the invention there is provided a method of performing flow control on a flow of data packets for transmission over a serial link, the method comprising the steps of: receiving a backpressure message having contents that indicates one of a plurality of fill-level states of receive queues coupled to the serial link for receiving the data packets, wherein one or more of the receive queues corresponds to a respective type of data packet traffic; determining a set of weighting factors by reading them from a mapping of weighting factors to various backpressure messages according to the contents of the backpressure message, wherein the mapping includes for a given backpressure message content, a set of weighting factors of which one or more weighting factors corresponds to a respective type of data packet traffic; and adjusting an amount of rate limiting applied to data packets of like type by a respective weighting factor of the determined set of weighting factors.

[009] Some embodiments of the invention provide flow control of incoming data packets to data processing resources by using an intelligent controller that can receive and react to advanced backpressure messages. The backpressure messages can be considered to be multi-level and multi-dimensional because they provide information on the fill-level of receive queues of different traffic priorities, hence multi-level, and of various traffic types, hence multi-dimensional. These advanced backpressure messages are used to limit the rate of data based on, but not limited to, some of the following factors: class, priority, port, customer, type of data, etc. The intelligent controller may also take this information and generate a traffic preference message to an upstream data processing unit to

3

Attorney Docket Number: ALC 3328-CON

inform the upstream unit of the most appropriate type of data that should be transmitted downstream at that time, thereby improving the likelihood of the transmitted data being processed in a proper and timely manner by downstream data processing resources.

[0010] Advantageously, embodiments of the invention improve the performance of an ingress data path of a communications system by ensuring that high-priority traffic has precedence over traffic of lower priority while maximizing utilization of the ingress data path bandwidth.

Brief Description of the Drawings

[0011] The invention will be further understood from the following detailed description with reference to the drawings, in which:

Figure 1 is a high-level block diagram of an ingress traffic flow control system according to an embodiment of the invention; and

Detailed Description

[0012] Referring to **Figure 1**, an ingress traffic flow control system **10** controls the flow of ingress data packets **12** to a downstream data processing unit **34**. The system **10** includes ingress buffers **14, 16, 18** for receiving the ingress data packets **12** and temporarily storing them before they are transmitted on a serial link **28** to the data processing unit **34**. The ingress buffers **14, 16, 18** are each associated with a respective priority level high, medium, low, and each stores data packets of a corresponding priority therein. Rate limiters **20, 22, 24** control the rate at which data packets from respective ingress buffers **14, 16, 18** are forwarded to a multiplexer **26** that multiplexes the data packets onto the serial link **28**. The multiplexer **26** employs a simple round-robin technique to multiplex data packets onto the serial link **28**. Each rate limiter **20, 22, 24** applies an amount of rate limiting in accordance with a respective weighting factor **W1, W2, W3** provided by a controller **42**. Any of the weighting factors may be varied by the

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

controller **42** as will be explained later. The resulting flow of serial data packets **30** on the serial link **28** comprises flows of data packets of high, medium, and low priorities, as may be available in the flow of ingress data packets **12**, at individual flow rates that are limited by the corresponding rate limiters **20, 22, 24**.

[0013] The downstream data processing unit **34** for processing the serial data packets **30** includes an ingress queue module **32** and a backpressure signaling module **38** in addition to data processing functionality, which is not shown for simplicity and because it is not relevant to this embodiment of the invention. The downstream data processing unit **34** receives serial data packets **30** from the serial link **28** and performs data packet processing thereon resulting in a flow of egress data packets **36**. As may be necessary from time to time and depending on the respective incoming rates of high, medium and low priority data packets in the flow of serial data packets **30** and on the processing to be performed thereon, the backpressure signaling module **38** may generate and send a multi-priority backpressure message **40** to the controller **42** to affect the flow of serial data packets **30** that are incoming to the data processing unit **34**. The generation and use of the multi-priority backpressure message **40** will be explained after the ingress queue module **32** is explained in more detail.

[0014]The ingress queue module **32** includes receive queues **Q1, Q2, Q3** which each have one or more fill-level thresholds. The receive queue **Q3** has two such fill-level thresholds **T3** and **T4**, the latter of which is at a higher level than the former. An example fill-level of the receive queue **Q3** is shown as being between the fill-level thresholds **T3** and **T4**. The receive queue **Q2** has only one fill-level threshold **T2** and is shown having an example fill-level that is below the threshold **T2**. Likewise, the receive queue **Q1** has only one fill-level threshold **T1** and is shown having an example fill-level that is below the threshold **T1**.

[0015] The backpressure signaling module **38** generates a multi-priority backpressure message **40** having a given value **BP** that is determined by

considering, in combination, the fill-level of each of the receive queues **Q1, Q2, Q3** in comparison to their respective fill-level thresholds **T1, T2, T3** and **T4**. For example, the backpressure signaling module **38** may generate a backpressure signaling message having a content **BP=0** if the fill-levels of all the receive queues **Q1, Q2, Q3** are below their respective fill-level thresholds **T1, T2, T3** and **T4**; whereas another content **BP=1** may be generated for the example fill-levels shown in **Figure 1**. The flow control to be performed for a given content **BP** of the multi-priority backpressure message **40** is determined by the controller **42** according to a configurable mapping **44** of backpressure message **40** content **BP** to values of the weighting factors **W1, W2, W3**.

[0016] **Table 1** shows the an example configurable mapping of weighting factors **W1, W2, W3** to backpressure message **40** content **BP** for various combinations of fill-level of the receive queues **Q1, Q2, Q3** compared to their respective fill-level thresholds **T1, T2, T3** and **T4**. The receive queues **Q1, Q2, Q3** correspond to traffic priorities of high, medium and low, respectively. In the table, under the weighting factors "none" means no rate limiting, "block" means halt traffic flow, and "limit" means normal rate limiting for the given priority of traffic. The specific amount of rate limiting corresponding normal rate limiting could be anywhere between the former two rate limiting extremes, i.e. halt traffic and no rate limiting, and would be configurable. To preserve the precedence of higher priority traffic over lower priority traffic, the amount of rate limiting corresponding to normal rate limiting would increase for progressively lower priorities of traffic. In this way, when all of the rate limiters **20, 22, 24** are applying normal rate limiting, e.g. corresponding to **BP=7** in **Table 1**, the precedence of higher priority traffic over lower priority traffic would be maintained. Furthermore, with reference to **BP=8** in **Table 1**, good bandwidth utilization is maintained by not blocking low priority traffic even if the fill level of the corresponding receive queue **Q3** has exceeded the 2nd fill-level threshold **T4**, as long as the fill levels of the medium and high priority receive queues **Q2** and **Q1** are below their respective fill-level thresholds **T2** and **T1**.

Table 1: Configurable mapping of weighting factors

BP	Q1 fill level	Q2 fill level	Q3 fill level	W1	W2	W3
0	<T1	<T2	<T3	None	None	None
1	<T1	>T2	<T3	None	None	None
2	>T1	<T2	<T3	None	None	Limit
3	>T1	>T2	<T3	None	Limit	Limit
4	<T1	<T2	>T3, <T4	None	None	Limit
5	<T1	>T2	>T3, <T4	None	Limit	Limit
6	>T1	<T2	>T3, <T4	None	Limit	Limit
7	>T1	>T2	>T3, <T4	Limit	Limit	Limit
8	<T1	<T2	>T4	None	None	Limit
9	<T1	>T2	>T4	None	Limit	Block
10	>T1	<T2	>T4	None	None	Block
11	>T1	>T2	>T4	Limit	Block	Block

[0017] It should be understood that the foregoing is a simple embodiment of the invention. Other, more complex embodiments could have hundreds of receive queues Q1, Q2, Q3 and ingress buffers 14, 16, 18 and corresponding rate limiters 20, 22, 24. Any of the receive queues Q1, Q2, Q3 could be a hierarchical grouping of sub-queues. Furthermore, any of the receive queues Q1, Q2, Q3 could be associated with one or more of traffic priority, class, type, source port, destination port, etc. Likewise with the ingress buffers 14, 16, 18 and corresponding rate limiters 20, 22, 24. However, regardless of the foregoing variations, these embodiments would have two common aspects: a backpressure signaling module 38 that is operable to generate and transmit a backpressure message 40 that provides an indication of that status of the fill-level of receive queues Q1, Q2, Q3 in comparison to their respective fill-level thresholds T1, T2, T3 and T4; and a controller 42 operable to receive the backpressure message 40 and determine an amount of rate limiting to apply to ingress data packets

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

depending on the content **BP** of the backpressure message **40** and a configurable mapping **44** of the content **BP** and rate limiting weighting factors **W1, W2, W3**.

[0018] The configurable mapping **44** would be configured for a given communication system according to the data processing resources that are present in the system and other service or application specific provisioning existing in the system, for example as could relate to one or more virtual private networks. The controller **42** using the configurable mapping **44** along with the content **BP** of the backpressure message **40** determines rate limiting that should be performed on the ingress data packets as a method of flow control. This rate limiting may be based on, but is not limited to, some of the following factors: traffic class, traffic priority, destination port, customer network e.g. VPN, type of data, etc. This rate limiting is implemented by altering weighting factors **W1, W2, W3** in one or more of the rate limiters **20, 22, 24**, as specified in the configurable mapping **44**. Such an intelligent controller **42** can not only interpret simple on-off (link-level or per-virtual output queue (VOQ)) backpressure messages but also advanced backpressure messages **40** that can include priority, class, type of traffic, source port, destination port, etc. These advanced backpressure messages **40** can be considered multi-level and multi-dimensional.

[0019] These advanced backpressure messages **40** that are sent during periods of congestion or near-congestion allow a downstream data processing unit **34** to aid the controller **42**, which data to best send next. The controller **42** uses this advanced backpressure message **40** and the configurable mapping **44** to determine the most appropriate data to transmit next. The controller may generate a traffic preference message **46** to convey this determination to an upstream data processing unit to inform the upstream unit of the most appropriate type of data that should be transmitted downstream at that time, thereby improving the likelihood of the transmitted data being processed in a proper and timely manner by downstream data processing resources. Thus, the

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

intelligently selected traffic has a lower probability of being rejected by the downstream data processing unit **34** resulting in improved system performance. For example, referring to **Table 1** under **BP=9**, the traffic preference message would indicate that high priority traffic is preferred since medium priority traffic will be rate limited and low priority traffic will be blocked.

[0020] Data processing units that can make use of these traffic preference messages **46** include enhanced buffer managers that incorporate multi-level multi-dimensional aspects in their arbitration schemes. Additionally, a memory-less admission check-point for the passage of data could also make use of the traffic preference messages **46**. Such a check-point would use the information in the traffic preference message **46** to provide instantaneous admittance of preferred, hence highly valued, data during times of data congestion at the downstream data processing unit, thereby improving the effectiveness of the data communications system.

[0021] Advantageously, the use of a controller **42** capable of receiving and reacting to advanced backpressure messages **40** improves system throughput efficiency. Appropriate data is transmitted to the downstream data processing unit **34** during periods of traffic congestion resulting in lower loss of high valued data.   The more high valued data that can be processed, especially during periods of congestion, or near-congestion, the greater value the communication system is to an end user.

[0022] Numerous modifications, variations and adaptations may be made to the embodiments of the invention described above without departing from the scope of   the   invention,   which   is   defined   in   the   claims.

WHAT IS CLAIMED IS:

1. A method of performing flow control on a flow of data packets for transmission over a serial link, the method comprising the steps of:

a) receiving a backpressure message having contents that indicates one of a plurality of fill-level states of receive queues coupled to the serial link for receiving the data packets, wherein one or more of the receive queues corresponds to a respective type of data packet traffic;

b) determining a set of weighting factors by reading them from a mapping of weighting factors to various backpressure messages according to the contents of the backpressure message, wherein the mapping includes for a given backpressure message content, a set of weighting factors of which one or more weighting factors corresponds to a respective type of data packet traffic; and

c) adjusting an amount of rate limiting applied to data packets of like type by a respective weighting factor of the determined set of weighting factors.

2. The method of claim 1, further comprising generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet traffic preferred for transmission over the serial link in accordance with the determined set of weighting factors.

3. The method of claim 2, wherein the type of data packet is distinguished by one or more of the following parameters: traffic priority, traffic class, destination port, destination address, source address, and virtual private network identifier.

4. The method of claim 3, wherein at least one state of the plurality of fill-level states corresponds to a comparison of individual fill-levels of two or more receive queues with respective fill-level thresholds of those queues.

5. The method of claim 1, wherein a weighting factor in a given set of weighting factors, the weighting factor corresponding to one type of data packet traffic, has a value that is dependent on a fill-level state of a receive queue for the same type of data packet traffic and on a fill-level state of another receive queue for different type of data packet traffic.

6. The method of claim 1, wherein the weighting factors are configurable so as to effect, for at least one type of data packets, an amount of rate limiting having a value in an inclusive range between one extreme of no rate limiting and another extreme of blocking all data packets of that type.

7.   The method of claim 6, wherein the weighting factors have been configured for a given communication system according to one or more of: data processing resources that are present in the system, service-specific or application-specific provisioning existing in the system.

8. A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a serial link, the system comprising:

a plurality of ingress buffers, one or more of which for storing a respective type of data packets in the flow of ingress data packets;

a plurality of rate limiters, one or more of which for providing an amount of rate limiting to a flow of data packets from a respective ingress buffer, the amount of rate limiting being dependent upon a nominal amount of rate limiting adjusted by a weighting factor corresponding to that rate limiter;

11

a multiplexer for receiving data packets from the plurality of rate limiters and serially multiplexing the data packets for transmission over the serial link; and

a controller operable to receive a backpressure message indicating a fill-level state of receive queues for receiving data packets from the serial link, and being operable to determine weighting factors for the rate limiters according to the backpressure message.

9. The system of claim 8, wherein the controller comprises a mapping of weighting factors to backpressure messages for determining the weighting factors.

10. The system of claim 9, further comprising a backpressure signaling module operable to generate the backpressure message by comparing fill-levels of the receive queues with respective fill-level thresholds.

11. The system of claim 10, wherein one or more of the receive queues are associated with a respective type of data packets.

12. The system of claim 11, wherein the type of data packets is distinguished by one or more of the following parameters: traffic priority, traffic class, destination port, destination address, source address, and virtual private network identifier.

13. The system of claim 8, wherein the weighting factors are configurable so as to effect, for at least one type of data packets, an amount of rate limiting having a value in an inclusive range between one extreme of no rate limiting and another extreme of blocking all data packets of that type.

14. The system of claim 13, wherein the weighting factors have been configured for a given communication system according to one or more of: data processing

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

resources that are present in the system, service-specific or application-specific provisioning existing in the system.

15. The system of claim 11, wherein a weighting factor associated with a specific backpressure message and type of data packets has a value in the mapping that is dependent on a fill-level of a receive queue for the same type of data packets and on a fill-level of another receive queue for different type of data packets.

16. The system of claim 8, wherein the controller is further operable to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet traffic preferred for transmission over the serial link in accordance with the determined weighting factors.

801272-US-CNT   Attorney Docket Number: ALC 3328-CON

ABSTRACT

[0023] Embodiments of the invention provide flow control of incoming data packets to data processing resources via a controller that can receive and react to advanced backpressure messages. These advanced backpressure messages are used to rate limit the data packets based one or more of the following factors: traffic class, traffic priority, destination port. The controller can also generate a traffic preference message to an upstream source of the data packets to inform the upstream unit of the most appropriate type of data that should be transmitted downstream at that time, thereby improving the likelihood of the transmitted data being processed in a proper and timely manner by the downstream data processing resources. Embodiments of the invention can improve the performance of a communications system during periods of congestion by ensuring that high-priority traffic has precedence over traffic of lower priority while maximizing utilization of the ingress data path bandwidth.
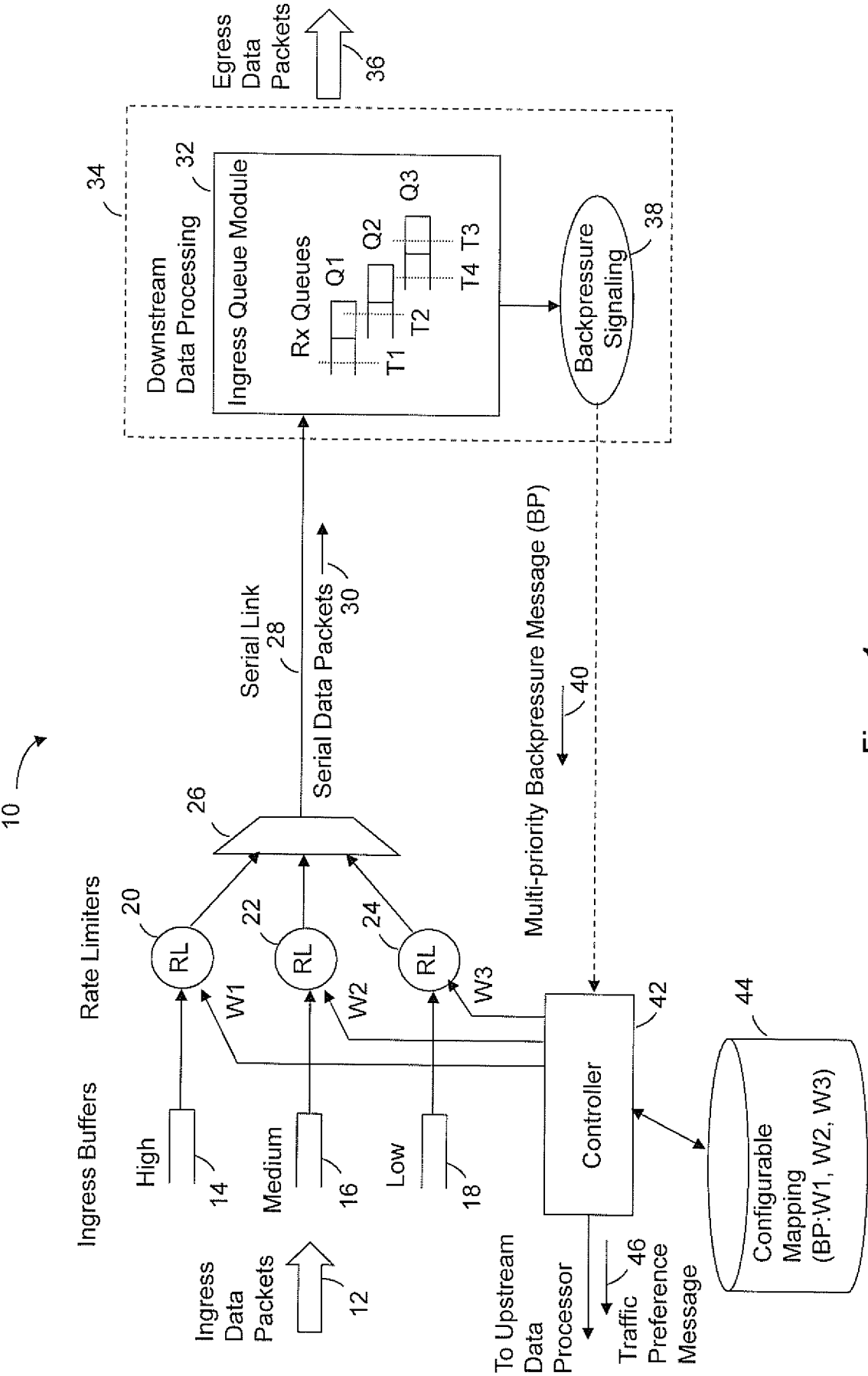
Figure 1

PATENT APPLICATION

| DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION |
| ATTORNEY DOCKET NO. ALC 3328-CON   CUSTOMER NUMBER: 30868 |

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

the specification of which is attached hereto unless the following box is checked:

( )   was filed on _____ as US Application Serial No. or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119	
			YES:	NO:
			YES:	NO:

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

Page 1 of 2

PATENT APPLICATION

| DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION |
| ATTORNEY DOCKET NO. ALC 3328-CON   CUSTOMER NUMBER: 30868 |

Power of Attorney:

As a named inventor, I hereby appoint the attorney(s) and/or agent(s) under Customer Number 30868 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to:	Direct telephone calls to:
Terry W. Kramer	
Kramer & Amado, P.C.	_Terry W. Kramer_
1725 Duke Street, Suite 240	(703) 519-9801
Alexandria, VA 22314	
Phone: (703) 519-9801	
Fax: (703) 519-9802	
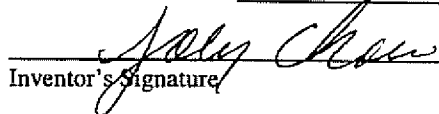
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: John Madsen   Citizenship: Canadian

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Inventor's Signature   Date

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Post Office Address: Same

_____   Oct 17, 2007.
Inventor's Signature   Date

Full Name of Inventor: Dion Pike   Citizenship: Canadian

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Post Office Address: Same

_____   Oct 18, 2007
Inventor's Signature   Date

Page 2 of 2

PTO/SB/122 (11-08)
Approved for use through 11/30/2011. OMB 0651-0035
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CHANGE OF CORRESPONDENCE ADDRESS *Application*	Application Number	11/907,871
	Filing Date	October 18, 2007
	First Named Inventor	John Madsen
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Art Unit	2616
	Examiner Name	Unknown
	Attorney Docket Number	ALC 3328

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I am the:

[ ]   Applicant/Inventor

[ ]   Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

[✓]   Attorney or agent of record. Registration Number 41,541 .

[ ]   Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number_____.

Signature	*Terry W. Kramer*
Typed or Printed Name	Terry W. Kramer
Date April 17, 2009	Telephone 703 519-9801

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[ ]   *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Filer:	Terry Wayne Kramer/Tara Jeffers
Attorney Docket Number:	ALC 3328-CON

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility application filing	1011	1	380	380
Utility Search Fee	1111	1	620	620
Utility Examination Fee	1311	1	250	250
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1250**

Electronic Acknowledgement Receipt

EFS ID:	11942524
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/Tara Jeffers
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	27-JAN-2012
Filing Date:	
Time Stamp:	17:09:10
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$ 1250
RAM confirmation Number	4402
Deposit Account	500578
Authorized User	KRAMER,TERRY
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

    Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		ALC332-CON_newapp.pdf	902385 2cbc6f150ab77025efb72f64eaf0cf0450b3e500	yes	24

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Transmittal of New Application	1	1
Fee Worksheet (SB06)	2	2
Application Data Sheet	3	6
Specification	7	15
Claims	16	19
Abstract	20	20
Drawings-only black and white line drawings	21	21
Oath or Declaration filed	22	24

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
2	Fee Worksheet (SB06)	fee-info.pdf	32828 ad310b054d5284e6a761551cb1f9b76a629d7eb4	no	2

Warnings:

Information:

		Total Files Size (in bytes):	935213

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen et al.
	:	
For	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.:	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	TBD
	:	
Examiner	:	TBD
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to the initial examination, please enter amendments to the specification and the claims for the above-identified application as set forth below:

SPECIFICATION AMENDMENTS begin on page 2 of this paper.

CLAIM AMENDMENTS begin on page 3 of this paper.

REMARKS/ARGUMENTS begin on page 10 of this paper.

Application No: 13/360,310
Kramer & Amado's Docket No: ALC 3328-CON

SPECIFICATION AMENDMENTS

Please add the following paragraph between the title and the first line of text as follows:

This application is a continuation of U.S. Ser. No. 11/907,871, filed October 18, 2007.

CLAIM AMENDMENTS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims

1-16.   (Canceled)

17.   (New) A method performed by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on the determined at least one weighting factor to be applied to the flow of data packets.

18.   (New) The method of claim 17, wherein:

the step of determining at least one weighting factor comprises determining, based on the backpressure signal, a set of weighting factors; and

the step of adjusting the amount of rate limiting comprises:

- 3 -

adjusting an amount of rate limiting with respect to a first type of data

packet traffic based on a first weighting factor of the set of weighting factors,

and

adjusting an amount of rate limiting with respect to a second type of

data packet traffic based on a second weighting factor of the set of weighting

factors.

19.   (New) The method of claim 17, wherein the backpressure signal is a

backpressure message that indicates a fill level state of at least one packet queue.

20.   (New) The method of claim 19, wherein the step of determining at least one

weighting factor comprises:

reading the at least one weighting factor from a mapping of various fill level

states for the at least one packet queue to various weighting factors.

21.   (New) The method of claim 17, wherein the backpressure signal is received

from a downstream data processing unit.

22.   (New) The method of claim 17, further comprising generating a traffic

preference message for transmission to a source of the flow of data packets, the

traffic preference message indicating a type of data packet preferred for

- 4 -

transmission over the serial link in accordance with the determined at least one weighting factor.

23.   (New) The method of claim 17, wherein the contents of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

24.   (New) A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller configured to:

receive a backpressure signal,

determine a first weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on the determined first weighting factor value.

25.   (New) The traffic flow control system of claim 24, further comprising:

a second rate limiter configured to provide an amount of rate limiting to a second portion of the flow of ingress data packets that is different from the first portion of the flow of ingress data packets, the amount of rate limiting of the second rate limiter being dependent upon a second weighting factor

wherein the controller is further configured to:

determine a second weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the second portion of the flow of ingress data packets by adjusting the second weighting factor used by the second rate limiter based on the determined second weighting factor value.

26.   (New) The traffic flow control system of claim 24, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

27.   (New) The traffic flow control system of claim 26, wherein, in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values.

- 6 -

28. (New) The traffic flow control system of claim 24, wherein the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value.

29. (New) The traffic flow control system of claim 24, wherein the contents of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

30. (New) A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising:

instructions for receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

instructions for determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

- 7 -

instructions for adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on the determined at least one weighting factor to be applied to the flow of data packets.

31.   (New) The non-transitory machine-readable storage medium of claim 30, wherein:

the instructions for determining at least one weighting factor comprise instructions for determining, based on the backpressure signal, a set of weighting factors; and

the instructions for adjusting the amount of rate limiting comprise:

instructions for adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

instructions for adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

32.   (New) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

- 8 -

33. (New) The non-transitory machine-readable storage medium of claim 32, wherein the instructions for determining at least one weighting factor comprise:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

34. (New) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is received from a downstream data processing unit.

35. (New) The non-transitory machine-readable storage medium of claim 30, further comprising instructions for generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

36. (New) The non-transitory machine-readable storage medium of claim 30, wherein the contents of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.
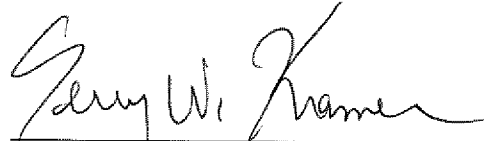
Application No: 13/360,310
Kramer & Amado's Docket No: ALC 3328-CON

REMARKS/ARGUMENTS

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: ____February 1, 2012____

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- 10 -

Electronic Acknowledgement Receipt

EFS ID:	12005354
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/Tara Jeffers
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	06-FEB-2012
Filing Date:	
Time Stamp:	13:58:44
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Preliminary Amendment	ALC3328_con_prelimamendment.pdf	212170 6e4c9d25c4941971312dde3f3e8a6d559a47963c	no	10

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	
13/360,310	01/27/2012	☐ To be Mailed

APPLICATION AS FILED – PART I

OTHER THAN

	(Column 1)	(Column 2)	SMALL ENTITY ☐	OR	SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =		X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))						
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL	

APPLICATION AS AMENDED – PART II

OTHER THAN

		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	SMALL ENTITY	
AMENDMENT	**02/06/2012**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X $ =		OR	X $60=	0
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $ =		OR	X $250=	0
	☐ Application Size Fee (37 CFR 1.16(s))							OR		
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	**0**

		(Column 1)		(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))							OR		
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/STEVEN WHIBLEY/

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875		Application or Docket Number 13/360,310

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	380
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	620
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	250
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*			OR	x 60 =	0.00
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*				x 250 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1250

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/360,310	01/27/2012	2472	1250	ALC 3328-CON	20	3

CONFIRMATION NO. 1373

76614
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314

FILING RECEIPT

OC000000052452319

Date Mailed: 02/14/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)
        John Madsen, Ottawa, CANADA;
        Joey Chow, Nepean, CANADA;
        Dion Pike, Stittsville, CANADA;
Assignment For Published Patent Application
        Alcatel-Lucent, Paris, FRANCE
Power of Attorney: The patent practitioners associated with Customer Number 30868

Domestic Priority data as claimed by applicant
        This application is a CON of 11/907,871 10/18/2007

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 02/07/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/360,310**

Projected Publication Date: 05/24/2012

Non-Publication Request: No

Early Publication Request: No

Title

        INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

Preliminary Class

        370

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

<u>NOT GRANTED</u>

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/360,310	01/27/2012	John Madsen	ALC 3328-CON

CONFIRMATION NO. 1373

76614
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314

PUBLICATION NOTICE

OC000000054457867

Title:INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

Publication No.US-2012-0127862-A1
Publication Date:05/24/2012

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614	7590	03/28/2014		

Terry W. Kramer, Esq.
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330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
03/28/2014	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

PTOL-90A (Rev. 04/07)

Office Action Summary	**Application No.** 13/360,310	**Applicant(s)** MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	**Art Unit** 2462	**AIA (First Inventor to File) Status** No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/06/2012*.
    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-36* is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6)☐ Claim(s) _____ is/are allowed.
7)☒ Claim(s) *1-36* is/are rejected.
8)☐ Claim(s) _____ is/are objected to.
9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.
11)☒ The drawing(s) filed on *01/27/2012* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
    a)☐ All   b)☐ Some** c)☐ None of the:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
    Paper No(s)/Mail Date _____.
3)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
4)☐ Other: _____.

Application/Control Number: 13/360,310   Page 2
Art Unit: 2462

DETAILED ACTION

Double Patenting

1.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent
the unjustified or improper timewise extension of the "right to exclude" granted by a
patent and to prevent possible harassment by multiple assignees.   A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d
2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re
Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164
USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA
1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or
1.321(d) may be used to overcome an actual or provisional rejection based on a
nonstatutory double patenting ground provided the conflicting application or patent
either is shown to be commonly owned with this application, or claims an invention
made as a result of activities undertaken within the scope of a joint research agreement.
        Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply
with 37 CFR 3.73(b).

2.   Claims 17-23 and 30-36 are rejected on the ground of non-statutory

obviousness-type double patenting as being unpatentable over claims 1-19 of U.S.

patent 8,130,649.

        Although the conflicting claims are not identical, they are not patentably

distinct from each other because of the following:

        Regarding claim 17, U.S. patent 8,130,649 discloses:

A method performed by a traffic flow control system for performing flow control on a

flow of data packets for transmission over a link (claim 1; lines 1-3; claim 8; lines 1-3),

the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure

signal, wherein the backpressure signal indicates a period of congestion (claim 1; lines

4-10);

determining, by the controller of the traffic flow control system, at least one

weighting factor to be applied to the flow of data packets based on the received

backpressure signal (claim 1; lines 11-15; claim 8; lines 11-15); and

adjusting an amount of rate limiting applied to at least a portion of the flow of

data packets based on the determined at least one weighting factor to be applied to the

flow of data packets (claim 1; lines 16-19; claim 8; lines 16-19).

Regarding claim 18, U.S. patent 8,130,649 discloses:

the step of determining at least one weighting factor comprises determining,

based on the backpressure signal, a set of weighting factors (claim 1; lines 11-15); and

the step of adjusting the amount of rate limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic

based on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic

based on a second weighting factor of the set of weighting factors (claim 1; lines 16-

19).

Regarding claim 19, U.S. patent 8,130,649 discloses:

the backpressure signal is a backpressure message that indicates a tilt level state of at

least one packet queue (claim 4; lines 1-4).

Regarding claim 20, U.S. patent 8,130,649 discloses:

Application/Control Number: 13/360,310   Page 4

Art Unit: 2462

the step of determining at least one weighting factor comprises:

reading the at least one weighting factor from a mapping of various fill level states for

the at least one packet queue to various weighting factors (claim 5; lines 1-6).

Regarding claim 21, U.S. patent 8,130,649 discloses:

wherein the backpressure signal is received from a downstream data processing unit

(claim 1; lines 4-5).

Regarding claim 22, U.S. patent 8,130,649 discloses:

generating a traffic preference message for transmission to a source of the flow of data

packets, the traffic preference message indicating a type of data packet preferred for

transmission over the serial link in accordance with the determined at least one

weighting factor (claim 5; lines 1-5).

Regarding claim 23, U.S. patent 8,130,649 discloses:

the contents of the backpressure message indicates that at least one fill-level threshold

for a packet queue has been crossed (claim 16; lines 1-4).

Regarding claim 30, U.S. patent 8,130,649 discloses:

instructions for receiving, by a controller of the traffic flow control system, a

backpressure signal, wherein the backpressure signal indicates a period of congestion

(claim 1; lines 4-10);

instructions for determining, by the controller of the traffic flow control

system, at least one weighting factor to be applied to the flow of data packets based on

the received backpressure signal (claim 1; lines 11-15; claim 8; lines 11-15); and

instructions for adjusting an amount of rate limiting applied to at least a

portion of the flow of data packets based on the determined at least one weighting

Application/Control Number: 13/360,310   Page 5
Art Unit: 2462

factor to be applied to the flow of data packets (claim 1; lines 16-19; claim 8; lines 16-19).

Although the conflicting claims are not identical, they are not patentably distinct from each other because it is obvious to one of ordinary skilled in the art to implement the method of US 8,130,649 by using code/software/instructions stored in a non-transitory computer readable medium.

Regarding claim 31, U.S. patent 8,130,649 discloses:

the instructions for determining at least one weighting factor comprises determining, based on the backpressure signal, a set of weighting factors (claim 1; lines 11-15); and the step of adjusting the amount of rate limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors (claim 1; lines 16-19).

Regarding claim 32, U.S. patent 8,130,649 discloses:

the backpressure signal is a backpressure message that indicates a tilt level state of at least one packet queue (claim 4; lines 1-4).

Regarding claim 33, U.S. patent 8,130,649 discloses:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors (claim 5; lines 1-6).

Application/Control Number: 13/360,310   Page 6
Art Unit: 2462

Regarding claim 34, U.S. patent 8,130,649 discloses:

wherein the backpressure signal is received from a downstream data processing unit

(claim 1; lines 4-5).

Regarding claim 35, U.S. patent 8,130,649 discloses:

instructions for generating a traffic preference message for transmission to a source of

the flow of data packets, the traffic preference message indicating a type of data packet

preferred for

transmission over the serial link in accordance with the determined at least one

weighting factor (claim 5; lines 1-5).

Regarding claim 36, U.S. patent 8,130,649 discloses:

the contents of the backpressure message indicates that at least one fill-level threshold

for a packet queue has been crossed (claim 16; lines 1-4).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

Application/Control Number: 13/360,310   Page 7
Art Unit: 2462

4.   Claims 17-23, and 30-36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bass et al. (US 6952424) in view of Anderson et al. (US

2006/0248242).

Regarding claims 17 and 30, Bass discloses a method performed by a traffic

flow control system /a non-transitory machine readable storage encoded with

instructions by a traffic flow control system (Col. 2; lines 16-27) for performing flow

control on a flow of data packets for transmission over a link (Col. 1; lines 65-67; The

present invention includes an improved system and method for scheduling the

distribution of information units from a flow control system coupled to a plurality of

network processing units toward a data transmission network through a MAC), the

method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal (Col.

8; lines 48-50; a backpressure is sent to the transmitter preventing frames from being

sent out that the system cannot handle);

determining, by the controller of the traffic flow control system, at least one

weighting factor to be applied to the flow of data packets based on the received

backpressure signal (Col. 7; lines 46-57; claim 2; providing a back pressure indicator

signal to said weighted fair calendar when an output queue associated with said

weighted fair calendar is not empty, preventing that output queue from being selected

during the time cycle); and

adjusting an amount of rate limiting applied to at least a portion of the flow of data

packets based on the determined at least one weighting factor to be applied to the flow

of data packets (Col. 7; lines 46-50; claim 2 and 6; providing a back pressure indicator

signal to said weighted fair calendar when an output queue associated with said

weighted fair calendar is not empty, preventing that output queue from being selected

during the time cycle and the back pressure controller includes at least one port queue

and a threshold that limits the amount of information unit to be accommodated in said

queue).

Bass does not explicitly disclose that the backpressure signal indicates a period

of congestion.

In an analogous art, Anderson discloses that the backpressure signal indicates a

period of congestion (¶ 22). It would have been obvious to one of ordinary skill in the

art at the time of invention was made to modify Bass's method by adding the

limitation of Anderson in order to improve network performance by reducing network

congestion.

Regarding claims 18 and 31, Bass does not explicitly disclose:

the step of determining at least one weighting factor comprises determining,

based on the backpressure signal, a set of weighting factors (Col. 9; lines 25-39).

Bass does not explicitly disclose that the step of adjusting the amount of rate

limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic

based on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic

based on a second weighting factor of the set of weighting factors.

In an analogous art, Anderson discloses that the step of adjusting the amount

of rate limiting comprises:

Application/Control Number: 13/360,310   Page 9
Art Unit: 2462

adjusting an amount of rate limiting with respect to a first type of data packet traffic

based on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic

based on a second weighting factor of the set of weighting factors (¶ 22; Ingress

backpressure mechanism uses packet or cell counters to track the number of packets

or cells used on an ingress port basis. Ingress mechanism includes registers for a set of

8 individually configurable thresholds and registers used to specify which of the 8

thresholds are to be used for every ingress port in the system. The set of thresholds

include a limit threshold, a discard limit threshold and a reset limit threshold 316). It

would have been obvious to one of ordinary skill in the art at the time of invention

was made to modify Bass's method by adding the limitation of Anderson in order to

dynamically manage different queues based on their fill level.

Regarding claims 19 and 32, Bass discloses that the backpressure signal is a

backpressure message that indicates a tilt level state of at least one packet queue

(Abstract and Col. 7; lines 46-50; A "back pressure" system keeps a flow from being

selected if its output cannot accept an additional frame because the current level of

that port queue exceeds a threshold. This system provides a form of back pressure to

limit the output, preventing frames from being sent out that

the system cannot handle).

Regarding claims 20 and 33, Bass does not explicitly disclose reading the at

least one weighting factor from a mapping of various fill level states for the at least one

packet queue to various weighting factors.

In an analogous art, Anderson discloses reading the at least one weighting

factor from a mapping of various fill level states for the at least one packet queue to

various weighting factors (¶ 22; The set of thresholds include a limit threshold, a

discard limit threshold and a reset limit threshold). It would have been obvious to one

of ordinary skill in the art at the time of invention was made to modify Bass's method

by adding the limitation of Anderson in order to dynamically manage different queues

based on their fill level.

Regarding claims 21 and 34, Bass does not explicitly disclose that the

backpressure signal is received from a downstream data processing unit.

In an analogous art, Anderson discloses that the backpressure signal is received

from a downstream data processing unit (¶ 21; ingress backpressure mechanism). It

would have been obvious to one of ordinary skill in the art at the time of invention

was made to modify Bass's method by adding the limitation of Anderson in order to

improve the flow control based on the capacity utilization level of the receiver.

Regarding claims 22 and35, Bass discloses generating a traffic preference

message for transmission to a source of the flow of data packets, the traffic preference

message indicating a type of data packet preferred for transmission over the serial link

in accordance with the determined at least one weighting factor (Col. 8; lines 41-60;

Each of the WFQ calendars is associated with a pair of ports; thus, WFQ Port 0 is

associated with a higher priority port 0 and a lower priority port 0. If the target port

queue's threshold has been exceeded, no further action is taken by that WFQ calendar

during the scheduler.sub.-- tick. (This system provides a form of back pressure to limit

the output, preventing frames from being sent out that the system cannot handle.) If

the target port queue's threshold has not been exceeded, the slot that is indicated by
the current pointer is then examined. If the slot is found to be empty, then the current
pointer may advance to the next non-empty slot to find a flow queue WFQ candidate.
If all slots are found to be empty, the current pointer is unchanged and no candidate is
found. If the slot is found to be non-empty within this one calendar, then the flow
queue address in stored in the slot is the WFQ candidate for this port. Each of the
WFQ calendars will similarly be able to find a candidate for its associated target port
queue.

Regarding claims 23 and 36, Bass discloses that the contents of the
backpressure message indicates that at least one fill-level threshold for a packet queue
has been crossed (Abstract; A "back pressure" system keeps a flow from being selected
if its output cannot accept an additional frame because the current level of that port
queue exceeds a threshold).

5.   Claims 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Bass et al. (US 6952424) in view of Khotimsky et al. (US 6788686).

Regarding claim 24, Bass discloses a traffic flow control system for controlling
a flow of ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The
present invention includes an improved system and method for scheduling the
distribution of information units from a flow control system coupled to a plurality of
network processing units toward a data transmission network through a MAC), the
traffic flow control system comprising:
a first rate limiter configured to provide an amount of rate limiting to a flow queue
ingress data packets, the amount of rate limiting being dependent upon a first

Application/Control Number: 13/360,310   Page 12
Art Unit: 2462

weighting factor (Col. 3; lines 32-36; Col. 6; line 63… Col. 7, line 7); and

a controller configured to (claim 6; controller):

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the

transmitter preventing frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data

packets based on the received backpressure signal (Col. 8; lines 45-50; claim 2;

providing a back pressure indicator signal to said weighted fair calendar when an

output queue associated with said weighted fair calendar is not empty, preventing that

output queue from being selected during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data

packets by adjusting the first weighting factor used by the first rate limiter based on the

determined first weighting factor value (Col. 8; lines 40-50; claim 4; Col. 9; lines 48-57).

Bass does not explicitly disclose that the flow queue is a first portion of the

flow.

In an analogous art, Khotimsky discloses that the flow queue is a first portion

of the flow (Col. 4; lines 11-25; flow is split into different portions and the flow is

controlled for each portion). It would have been obvious to one of ordinary skill in the

art at the time of invention was made to modify Bass's method by adding the

limitation of Khotimsky in order to dynamically manage different portions of flows

based on their corresponding egress buffer fill level.

Regarding claim 25, Bass discloses a traffic flow control system for controlling

a flow of ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The

present invention includes an improved system and method for scheduling the

Application/Control Number: 13/360,310   Page 13
Art Unit: 2462

distribution of information units from a flow control system coupled to a plurality of

network processing units toward a data transmission network through a MAC), the

traffic flow control system comprising:

a second rate limiter configured to provide an amount of rate limiting to a flow queue

ingress data packets, the amount of rate limiting being dependent upon a first

weighting factor (Col. 3; lines 32-36; Col. 6; line 63... Col. 7, line 7); and

a controller configured to (claim 6; controller) :

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the

transmitter preventing frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data

packets based on the received backpressure signal (Col. 8; lines 45-50; claim 2;

providing a back pressure indicator signal to said weighted fair calendar when an

output queue associated with said weighted fair calendar is not empty, preventing that

output queue from being selected during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data

packets by adjusting the first weighting factor used by the first rate limiter based on the

determined first weighting factor value (Col. 8; lines 40-50; claim 4; Col. 9; lines 48-57).

 Bass does not explicitly disclose that the flow queue is a second portion of the

flow.

 In an analogous art, Khotimsky discloses that the flow queue is a second

portion of the flow (Col. 4; lines 11-25; flow is split into different portions and the

flow is controlled for each portion). It would have been obvious to one of ordinary

skill in the art at the time of invention was made to modify Bass's method by adding

the limitation of Khotimsky in order to dynamically manage different portions of flows based on their corresponding egress buffer fill level.

Regarding claim 26, Bass discloses that the backpressure signal is a backpressure message that indicates a tilt level state of at least one packet queue (Abstract and Col. 7; lines 46-50; A "back pressure" system keeps a flow from being selected if its output cannot accept an additional frame because the current level of that port queue exceeds a threshold. This system provides a form of back pressure to limit the output, preventing frames from being sent out that the system cannot handle).

Regarding claim 27, Bass further discloses that in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values (Col. 7; lines 46-50; claim 2 and 6; providing a back_pressure indicator signal to said weighted fair calendar when an output queue associated with said weighted fair calendar is not empty, preventing that output queue from being selected during the time cycle and the back pressure controller includes at least one port queue and a threshold that limits the amount of information unit to be accommodated in said queue)

Regarding claim 28, Bass further discloses that the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets (Col. 9; lines 11-14), the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value (Col. 9; lines 11-24).

Regarding claims 29, Bass discloses that the contents of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed (Abstract; A "back pressure" system keeps a flow from being selected if its output cannot accept an additional frame because the current level of that port queue exceeds a threshold).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMINA CHOUDHRY whose telephone number is (571)270-7102. The examiner can normally be reached on Monday to Thursday (7:30 a.m. to 5.00p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yemane Mesfin can be reached on (571)272-3927. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the

Application/Control Number: 13/360,310   Page 16
Art Unit: 2462

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-

272-1000.

/SAMINA CHOUDHRY/

Examiner, Art Unit 2462

		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		13/360,310	MADSEN ET AL.
		Examiner	Art Unit	
		SAMINA CHOUDHRY	2462	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,788,686 B1	09-2004	Khotimsky et al.	370/394
*	B	US-6,952,424 B1	10-2005	Bass et al.	370/412
*	C	US-2006/0248242 A1	11-2006	Andersen et al.	710/052
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	8990	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S2	874	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S3	411	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S4	88734	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S5	3	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S6	3	S3 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:57
S7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:58
S8	2	"6570848".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S9	4	"6031821".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S10	6	S8 or S9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03

S11	2	S10 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S12	4	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S13	1	S12 not S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S14	10	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:05
S15	2	"6170022".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:20
S17	1	S15 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S18	1	S15 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S19	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S20	75	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S21	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S22	5	S19 or S21	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S23	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29

S24	2	S22 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29
S25	2	S24 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:30
S26	3	"20130132573"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:58
S27	1	S26 and (embed$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:58
S28	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S29	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S30	5	S28 or S29	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S31	3	S30 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S32	3	S30 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:05
S33	3	S30 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:20
S34	1	S30 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:43
S35	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34

S36	1	S35 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S37	1	S35 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S38	1	S35 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:35
S39	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:37
S41	1	S39 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:38
S42	2	S30 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:41
S43	1	S30 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:43
S44	1	S30 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:44
S45	301379	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:46
S46	89069	((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:47
S47	4471	S46 and (flow near2 control)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:47
S48	1571	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:48

S49	42	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S50	48	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S51	434	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S52	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:50
S53	3	S50 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S54	65	S51 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S55	20	S51 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:53
S56	21498	(network and (weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:55
S57	441	(network and (weight or weigh$3) with (paus$3 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:56
S58	24	S57 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S59	153	S57 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S60	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38

S61	2	S60 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38
S62	2	"20040257997"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41
S63	2	S62 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41
S64	1	S62 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:42
S65	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:44
S66	2	S65 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:45
S67	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:46
S68	1	S67 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:46
S69	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:47
S70	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:48
S73	1	S67 and (back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:52
S74	1	S67 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:17

S75	1	S67 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:23
S76	1	S67 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:24
S77	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:53
S78	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:17
S79	1	S78 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:17
S84	1	S78 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S85	1	S78 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S86	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:20
S87	1	S86 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:21
S88	1	S86 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:32

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:16
L2	1	L1 and (Flow or pause or stop$3 or halt$3 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:16
L3	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:35
L4	1	3 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:35
L5	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:36
L6	1	5 and ((weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:36
L7	1	5 and ((weight or weigh$3) and (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:37
L11	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:10
L12	1	L11 and (indicator)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:10
L13	1	1 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:18

S1	8990	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S2	874	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S3	411	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S4	88734	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S5	3	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S6	3	S3 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:57
S7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:58
S8	2	"6570848".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S9	4	"6031821".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S10	6	S8 or S9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S11	2	S10 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S12	4	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04

S13	1	S12 not S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S14	10	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:05
S15	2	"6170022".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:20
S17	1	S15 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S18	1	S15 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S19	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S20	75	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S21	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S22	5	S19 or S21	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S23	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29
S24	2	S22 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29
S25	2	S24 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:30

S26	3	"20130132573"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:58
S27	1	S26 and (embed$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:58
S28	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S29	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S30	5	S28 or S29	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S31	3	S30 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S32	3	S30 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:05
S33	3	S30 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:20
S34	1	S30 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:43
S35	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S36	1	S35 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S37	1	S35 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34

S38	1	S35 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:35
S39	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:37
S41	1	S39 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:38
S42	2	S30 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:41
S43	1	S30 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:43
S44	1	S30 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:44
S45	301379	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:46
S46	89069	((weight or weigh$3)with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:47
S47	4471	S46 and (flow near2 control)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:47
S48	1571	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:48
S49	42	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S50	48	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49

S51	434	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S52	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:50
S53	3	S50 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S54	65	S51 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S55	20	S51 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:53
S56	21498	(network and (weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:55
S57	441	(network and (weight or weigh$3) with (paus$3 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:56
S58	24	S57 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S59	153	S57 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S60	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38
S61	2	S60 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38
S62	2	"20040257997"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41

S63	2	S62 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41
S64	1	S62 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:42
S65	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:44
S66	2	S65 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:45
S67	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:46
S68	1	S67 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:46
S69	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:47
S70	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:48
S73	1	S67 and (back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:52
S74	1	S67 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:17
S75	1	S67 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:23
S76	1	S67 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:24

S77	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:53
S78	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:17
S79	1	S78 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:17
S84	1	S78 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S85	1	S78 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S86	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:20
S87	1	S86 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:21
S88	1	S86 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:32
S89	13	"7802028".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:37
S90	1	S89 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:37
S91	1	S89 and (congest$4 same (stop$3 or paus$3 or stop$4 or halt$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:38
S92	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:40

S93	2	S92 and (congestion same pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:40
S94	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:46
S95	1	S94 and (weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:47
S96	1	S94 and (weigh$3 and (pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:48
S97	2	S92 and (backpressure or back pressure or halt$3 or stop$4 or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:07
S98	2	S92 and ((backpressure or back pressure or halt$3 or stop$4 or pause) and (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:15
S99	2	S92 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:25
S100	1	S94 and ((pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:29
S101	2	S94 and (threshold or level or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:59

3/24/2014 10:19:09 AM
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SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/360,310	01/27/2012 **RULE**	370	2462	ALC 3328-CON

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    Dion Pike, Stittsville, CANADA;

** **CONTINUING DATA** *************************
    This application is a CON of 11/907,871 10/18/2007 PAT 8130649

** **FOREIGN APPLICATIONS** ************************

** **IF REQUIRED, FOREIGN FILING LICENSE GRANTED** **
    02/07/2012

			STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
Foreign Priority claimed ☐ Yes ☑ No		☐ Met after Allowance	CANADA	1	20	3
35 USC 119(a-d) conditions met ☐ Yes ☑ No						
Verified and Acknowledged	/SAMINA F CHOUDHRY/ Examiner's Signature	Initials				

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    Alexandria, VA 22314
    UNITED STATES

TITLE

    INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

FILING FEE RECEIVED 1250	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees
		☐ 1.16 Fees (Filing)
		☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other _____
		☐ Credit

BIB (Rev. 05/07).

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	38	flow with control with ((queu$3 or buffer?) with (weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L2	5	backpressure same (queues with weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L3	1100	backpressure same (queues or buffer? or memory)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L4	455	L3 and (queu$3 with (priorit$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L5	42	L4 and (weight same (priorit$3 or type of QOS or COS or level))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L6	76	back?pressure with (receiver)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L7	12	L6 and (queu$2 with (priorit$2 or QOS or COS or level))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L8	519	((flow control) and (weight$3 with (factors or crieteria or metrics) with rate))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L9	5	((flow control) and (weight$3 with (factors or crieteria or metrics) with rate with queues))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L10	9	((flow control) and (weight$3 with (factors or crieteria or metrics) with rate same queues))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L11	4	L10 not L9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L12	99	L8 and (determin$3 with (weight$3 with (factors or criteria)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39

L13	92	L12 not L10	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L14	2	"7292578".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L15	6	"7006440".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L16	2	"5704047".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L17	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39
L18	3	"20050271076"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:39

3/24/2014 12:40:00 PM
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Search Notes	Application/Control No. 13360310	Applicant(s)/Patent Under Reexamination MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	Art Unit 2462

CPC- SEARCHED

Symbol	Date	Examiner
H04L 47/10	3/20/2014	SC

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner
H04L 5/0053, H04L 12/5602, H04L 2012/5636	03/20/2014	SC

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
		03/19/2014	

SEARCH NOTES

Search Notes	Date	Examiner
EAST search with all databases		
keyword search	03/19/2014	SC
370/235,229,464,465,468	03/19/2014	SC
Assignee and Inventorship Search done	03/19/2014	SC

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:16
L2	1	L1 and (Flow or pause or stop$3 or halt$3 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:16
L3	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:35
L4	1	3 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:35
L5	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:36
L6	1	5 and ((weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:36
L7	1	5 and ((weight or weigh$3) and (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 09:37
L11	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:10
L12	1	L11 and (indicator)	US-PGPUB; USPAT;	ADJ	ON	2014/03/24 10:10

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L13	1	1 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:18
L14	1	1 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:24
L15	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:28
L16	2	15 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:28
L17	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:29
L18	1	17 and (controller)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:29
L20	1	3 and (controller with pause or stop$3 or halt$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:31
L21	1	3 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:32
L22	1	5 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:34
L23	1	3 and (controller with pause or stop$3 or halt$3 or back pressure	US-PGPUB; USPAT;	ADJ	ON	2014/03/24 10:36

		or backpressure)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L24	1	5 and (portion or part)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:42
L25	1	1 and (portion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 10:42
L26	6	"11907871"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:15
L27	3	"8130649".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:24
L28	2	27 and (set near2 weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:24
L29	1	27 and (set near2 weigh$4).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:24
L31	1	27 and (cross$3 or threshold).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:39
L35	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:57
L36	1	35 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 11:57
L37	36656	h04l47/10.cpc.	US-PGPUB; USPAT;	ADJ	ON	2014/03/24 12:11

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L38	5399	h04l12/5602.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:11
L39	2846	h04l2012/5636.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:11
L40	15822	h04l5/0053.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:11
L41	58005	37 or 38 or 39 or 40	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:12
L42	33	41 and ((weight or weigh$3) with (paus or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:15
L43	37	41 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:25
L44	117	41 and ((weight or weigh$3) same (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:25
L45	72	44 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:26
L46	41397	370/329,335,464,465,468.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:28
L47	6697	46 and (pause or halt$3 or stop$4 or back pressure or backpressure)	US-PGPUB; USPAT;	ADJ	ON	2014/03/24 12:28

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L48	22	46 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:29
L49	2	45 and 48	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:29
L50	20	48 not 49	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:29
L51	2	50 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:30
L52	12	50 and (network and flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 12:30
S1	8990	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S2	874	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:55
S3	411	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S4	88734	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:56
S5	3	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or	US-PGPUB; USPAT;	ADJ	ON	2014/03/22 17:56

		weight)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S6	3	S3 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:57
S7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 17:58
S8	2	"6570848".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S9	4	"6031821".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S10	6	S8 or S9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:03
S11	2	S10 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S12	4	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S13	1	S12 not S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:04
S14	10	S3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:05
S15	2	"6170022".pn.	US-PGPUB; USPAT;	ADJ	ON	2014/03/22 18:20

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S17	1	S15 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S18	1	S15 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 18:21
S19	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S20	75	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S21	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S22	5	S19 or S21	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:22
S23	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29
S24	2	S22 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:29
S25	2	S24 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:30
S26	3	"20130132573"	US-PGPUB; USPAT;	ADJ	ON	2014/03/22 21:58

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S27	1	S26 and (embed$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/22 21:58
S28	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S29	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S30	5	S28 or S29	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S31	3	S30 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 13:59
S32	3	S30 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:05
S33	3	S30 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:20
S34	1	S30 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 14:43
S35	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S36	1	S35 and (weight or weigh$3)	US-PGPUB; USPAT;	ADJ	ON	2014/03/23 15:34

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S37	1	S35 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:34
S38	1	S35 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:35
S39	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:37
S41	1	S39 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:38
S42	2	S30 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:41
S43	1	S30 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:43
S44	1	S30 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:44
S45	301379	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:46
S46	89069	((weight or weigh$3)with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:47
S47	4471	S46 and (flow near2 control)	US-PGPUB; USPAT;	ADJ	ON	2014/03/23 15:47

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S48	1571	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:48
S49	42	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S50	48	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S51	434	S47 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:49
S52	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:50
S53	3	S50 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S54	65	S51 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:52
S55	20	S51 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:53
S56	21498	(network and (weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:55
S57	441	(network and (weight or weigh$3) with (paus$3 or backpressure or	US-PGPUB; USPAT;	ADJ	ON	2014/03/23 15:56

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
		back pressure))				
S58	24	S57 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S59	153	S57 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 15:57
S60	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38
S61	2	S60 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:38
S62	2	"20040257997"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41
S63	2	S62 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:41
S64	1	S62 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:42
S65	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:44
S66	2	S65 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:45
S67	2	"6952424".pn.	US-PGPUB; USPAT;	ADJ	ON	2014/03/23 17:46

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S68	1	S67 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:46
S69	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:47
S70	1	S67 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:48
S73	1	S67 and (back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 17:52
S74	1	S67 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:17
S75	1	S67 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:23
S76	1	S67 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:24
S77	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 18:53
S78	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:17
S79	1	S78 and (congest$5)	US-PGPUB; USPAT;	ADJ	ON	2014/03/23 20:17

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S84	1	S78 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S85	1	S78 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:19
S86	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:20
S87	1	S86 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:21
S88	1	S86 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/23 20:32
S89	13	"7802028".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:37
S90	1	S89 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:37
S91	1	S89 and (congest$4 same (stop$3 or paus$3 or stop$4 or halt$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:38
S92	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:40
S93	2	S92 and (congestion same pause)	US-PGPUB; USPAT;	ADJ	ON	2014/03/24 00:40

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S94	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:46
S95	1	S94 and (weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:47
S96	1	S94 and (weigh$3 and (pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 00:48
S97	2	S92 and (backpressure or back pressure or halt$3 or stop$4 or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:07
S98	2	S92 and ((backpressure or back pressure or halt$3 or stop$4 or pause) and (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:15
S99	2	S92 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:25
S100	1	S94 and ((pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:29
S101	2	S94 and (threshold or level or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/03/24 01:59

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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen, et al.
	:	
	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	2462
	:	
Examiner	:	Samina F. Choudhry
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

AMENDMENT UNDER 37 C.F.R § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 28, 2014, please amend the

above-identified application as set forth below:

CLAIM AMENDMENTS begin on page 2 of this paper.

REMARKS begin on page 10 of this paper.

- 1 -

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CLAIM AMENDMENTS

This listing of claims will replace all prior versions and listings of claims in the application.

1-16.   (Canceled)

17.   (Currently Amended) A method performed by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on <u>both</u> the determined at least one weighting factor<u> and a content of the backpressure signal</u> ~~to be applied to the flow of data packets~~.

18.   (Currently Amended) The method of claim 17, wherein [[:]] the step of determining at least one weighting factor comprises<u>:</u>

determining, based on the backpressure signal, a set of weighting factors; and

the step of adjusting the amount of rate limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

19.   (Previously Presented) The method of claim 17, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

20.   (Currently Amended) The method of claim 19, wherein the step of determining at least one weighting factor further comprises:

reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

21.   (Currently Amended) The method of claim 17, further comprising:

receiving ~~wherein~~ the backpressure signal ~~is received~~ from a downstream data processing unit.

22.   (Currently Amended) The method of claim 17, further comprising:

generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

23.   (Currently Amended) The method of claim 17, wherein the ~~contents~~ content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

24.   (Currently Amended) A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller configured to:

receive a backpressure signal,

- 4 -

determine a first weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on <u>both</u> the determined first weighting factor value <u>and a content of the backpressure signal</u>.

25.   (Currently Amended) The traffic flow control system of claim 24, further comprising:

a second rate limiter configured to provide an amount of rate limiting to a second portion of the flow of ingress data packets that is different from the first portion of the flow of ingress data packets, the amount of rate limiting of the second rate limiter being dependent upon a second weighting factor, wherein the controller is further configured to [[:]] determine a second weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and adjust an amount of rate limiting applied to the second portion of the flow of ingress data packets by adjusting the second weighting factor used by the second rate limiter based on the determined second weighting factor value.

26.   (Previously Presented) The traffic flow control system of claim 24, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

27.   (Previously Presented) The traffic flow control system of claim 26, wherein, in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values.

28.   (Previously Presented) The traffic flow control system of claim 24, wherein the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value.

29.   (Currently Amended) The traffic flow control system of claim 24, wherein the ~~contents~~ content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

30.   (Currently Amended)   A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising:

instructions for receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

instructions for determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

instructions for adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure signal to be applied to the flow of data packets.

31.   (Currently Amended) The non-transitory machine-readable storage medium of claim 30, wherein [[:]] the instructions for determining at least one weighting factor comprise

instructions for determining, based on the backpressure signal, a set of weighting factors; and

- 7 -

the instructions for adjusting the amount of rate limiting comprise:

instructions for adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

instructions for adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

32. (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

33. (Previously Presented) The non-transitory machine-readable storage medium of claim 32, wherein the instructions for determining at least one weighting factor comprise:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

34.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is received from a downstream data processing unit.

35.   (Currently Amended) The non-transitory machine-readable storage medium of claim 30, further comprising:

instructions for generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

36.   (Currently Amended) The non-transitory machine-readable storage medium of claim 30, wherein the ~~contents~~ content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

<div align="right">Application No. 13/360,310
Our Ref. No. ALC 3328-CON</div>

REMARKS

Claims 17-36 are pending in this application, of which claims 17, 24, and 30 are independent. Applicant hereby amends claims 17, 18, 20-25, 29-31, 35, and 36, and respectfully submits that this Amendment does not add any new matter.

DOUBLE PATENTING REJECTIONS

On pages 2-6, the Office Action rejects claims 17-23 and 30-36 on the ground of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-19 of U.S. Patent No. 8,130,649. In response, Applicant hereby files a terminal disclaimer and respectfully requests withdrawal of the rejections.

PRIOR ART REJECTIONS

On pages 6-11, the Office Action rejects claims 17-23 and 30-36 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,952,424 to Bass et al. ("Bass") in view of Pub. No. US 2006/0248242 to Andersen et al. ("Andersen"). On pages 11-15, the Office Action rejects claims 24-29 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bass in view of U.S. Patent No. 6,788,686 to Khotimsky et al. ("Khotimsky").

As amended, claim 17 recites, in part: "adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on **both** the

determined at least one weighting factor and a **content** of the backpressure signal" in claim 17. The configurable mapping of Table 1, for example, provides support for this subject matter. Similar subject matter appears in claims 24 and 30. Applicant respectfully submits that the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

On pages 7 and 8, the Office Action relies upon Bass for rate limiting. While Bass may disclose "a form of a backpressure to limit the output," Applicant respectfully submits that Bass is silent regarding content of a backpressure signal. As amended, the independent claims recite use of this content as a parameter that adjusts the amount of rate limiting. Moreover, Bass also lacks any disclosure of adjusting an amount of rate limiting based upon two different factors, where one factor is a content of the backpressure signal.

Thus, Applicant respectfully submits that Bass in view of Andersen fails to establish a prima facie case of obviousness for independent claims 17, 24, and 30. Khotimsky fails to remedy the deficiencies of Bass in view of Andersen. Therefore, Applicant respectfully submits that independent claims 17, 24, and 30 are allowable over the references of record.

Claim 20 recites: "reading the at least one weighting factor from a **mapping** of various fill level states for the at least one packet queue to various weighting factors" (emphasis added). Similar subject matter appears in claims 27 and 33.

- 11 -

Applicant respectfully submits that the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

On page 9, the Office Action concedes that Bass does not disclose this subject matter.   To remedy this admitted deficiency, the Examiner cites Andersen, relying upon Andersen's set of thresholds.   However, Andersen is silent regarding the claimed **mapping** of fill level states to weighting factors.   Thus, Andersen cannot remedy the admitted deficiencies of Bass.

On page 14, the Office Action alleges, in the context of claim 27, that Bass does disclose this subject matter, contradicting the Examiner's previous position. However, the Examiner fails to point out any mapping of fill level states to weighting factors in Bass.   As described above, Bass lacks this subject matter.

Claims 18-23 depend from claim 17.   Claims 25-29 depend from claim 24. Claims 31-36 depend from claim 30.   Thus, claims 18-23, 25-29, and 31-36 are allowable at least due to their respective dependencies from allowable base claims. Therefore, Applicant respectfully requests withdrawal of all prior art rejections.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CONCLUSION

While Applicant respectfully submits that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues. In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: April 8, 2014   /Terry W. Kramer/
                                     Terry W. Kramer
                                     Registration No.: 41,541

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Electronic Patent Application Fee Transmittal

Application Number:	13360310
Filing Date:	27-Jan-2012
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Filer:	Terry Wayne Kramer/wendy spradlin
Attorney Docket Number:	ALC 3328-CON

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
Total in USD ($)				**160**

Electronic Acknowledgement Receipt

EFS ID:	18701300
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradlin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	08-APR-2014
Filing Date:	27-JAN-2012
Time Stamp:	12:00:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$ 160
RAM confirmation Number	10646
Deposit Account	500578
Authorized User	KRAMER, TERRY
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)	
Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Terminal Disclaimer Filed	sb0026_Terminal_Disclaimer.pdf	374393 370f39caf8bc1644ad702ebe90fb08afe68b6f1b	no	2

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
2		Response_NF.pdf	75302 9f3961ae5c52e86b7239a636d8dd11a9eb2efef0	yes	13

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	9
Applicant Arguments/Remarks Made in an Amendment	10	13

Warnings:

Information:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
3	Fee Worksheet (SB06)	fee-info.pdf	30212 aa3d00ba8b779e6ac4f320d66643d54eabe60503	no	2

Warnings:

Information:

Total Files Size (in bytes):	479907

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) ALC 3328-CON

In re Application of: Madsen et al.

Application No.: 13/360,310

Filed: January 27, 2012

For: INGRESS TRAFFIC CONTROL IN A DATA COMMUNICATIONS SYSTEM

The owner*, ALCATEL LUCENT_____ , of _____100_____ percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,130,649_____ as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

          expires for failure to pay a maintenance fee;
          is held unenforceable;
          is found invalid by a court of competent jurisdiction;
          is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
          has all claims canceled by a reexamination certificate;
          is reissued; or
          is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐   For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

    I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☑   The undersigned is an attorney or agent of record. Reg. No._41,541_____

/Terry W. Kramer/	April 7, 2014
Signature	Date

Terry W. Kramer
Typed or printed name

(703) 519-9801
Telephone Number

☑   Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/360,310	Filing Date 01/27/2012	☐ To be Mailed

ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT	**04/08/2014**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	=	X $ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/ELMIRA HALL/

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	13/360,310	MADSEN ET AL.

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 4/8/14	**This patent is subject to a Terminal Disclaimer**	

Approved/Disapproved by:

Felicia D. Roberts

8,130,649

U.S. Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614   7590   07/30/2014
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
07/30/2014	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

PTOL-90A (Rev. 04/07)

Office Action Summary	**Application No.** 13/360,310	**Applicant(s)** MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	**Art Unit** 2462	**AIA (First Inventor to File)** **Status** No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04/08/2014*.
  ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-36* is/are pending in the application.
  5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6)☐ Claim(s) _____ is/are allowed.
7)☒ Claim(s) *1-19,21-32 and 34-36* is/are rejected.
8)☒ Claim(s) *20 and 33* is/are objected to.
9)☐ Claim(s) _____ are subject to restriction and/or election requirement.
* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.
11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  Certified copies:
  a)☐ All b)☐ Some** c)☐ None of the:
  1.☐ Certified copies of the priority documents have been received.
  2.☐ Certified copies of the priority documents have been received in Application No. _____.
  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
  Paper No(s)/Mail Date _____.
3)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.
4)☐ Other: _____.

Application/Control Number: 13/360,310   Page 2

Art Unit: 2462

DETAILED ACTION

Response to Arguments

1.   This action is response to the communication filed on 04/08/2014. Claims 1-19,

21-32 and 34-36 are pending.

Applicant filed terminal disclaimer to overcome ODP, consequently examiner has

withdrawn the rejection.

Based on new ground of rejection, applicant's arguments are moot.

Allowable Subject Matter

2.   Claims 20 and 33 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

4.   Claims 17-19, 21-23, and 30-32, 34-36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bass et al. (US 6952424) in view of Anderson et al. (US 2006/0248242)

and further in view of Trinth et al. (US 2004/0015599).

Regarding claims 17 and 30, Bass discloses a method performed by a traffic flow control system /a non-transitory machine readable storage encoded with instructions by a traffic flow control system (Col. 2; lines 16-27) for performing flow control on a flow of data packets for transmission over a link (Col. 1; lines 65-67; The present invention includes an improved system and method for scheduling the distribution of information units from a flow control system coupled to a plurality of network processing units toward a data transmission network through a MAC), the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the transmitter preventing frames from being sent out that the system cannot handle);

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal (Col. 7; lines 46-57; claim 2; providing a back pressure indicator signal to said weighted fair calendar when an output queue associated with said weighted fair calendar is not empty, preventing that output queue from being selected during the time cycle).

Bass does not explicitly disclose that the backpressure signal indicates a period of congestion.

In an analogous art, Anderson discloses that the backpressure signal indicates a period of congestion (¶ 22). It would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Bass's method by adding the limitation of Anderson in order to improve network performance by reducing network congestion.

Bass discloses adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on the determined at least one weighting factor to be applied to

the flow of data packets (Col. 7; lines 46-50; claim 2 and 6; providing a back pressure

indicator signal to said weighted fair calendar when an output queue associated with said

weighted fair calendar is not empty, preventing that output queue from being selected during

the time cycle and the back pressure controller includes at least one port queue and a

threshold that limits the amount of information unit to be accommodated in said queue).

Bass does not explicitly state that the adjustment of the rate is based on both the

determined at least one weighting factor and a content of the backpressure signal.

In an analogous art, Trinth discloses that the adjustment of the rate is based (¶ 233;

The back-pressure management system includes components from the ingress network

processor and the egress network processor. The switch fabric sends flow-control

information to the egress network processor so that it can inform the ingress network

processor not to send data to a particular one of the logical output ports. An I/O unit of

the egress network processor forwards the control portion of the flow-control information

to control input storage. The data portion is forwarded to the data input storage.

An IPU fetches the flow-control information from the control input storage and decodes it

and sends to an IPU a back-pressure message that includes the logical port number to which

data should not be sent. The IPU sets a value within the BPLUT corresponding to the

logical port so that it indicates that data should not be sent to that logical port number

specified by the information.) on both the determined at least one weighting factor and a

content of the backpressure signal (¶ 180 and 234; the rate of the flow is controlled based on

the information received from the congestion message/backpressure message and the

weight stored in the back pressure look up table (BPLUT) for each priority of COS.

Application/Control Number: 13/360,310   Page 5
Art Unit: 2462

The traffic processing unit (TPU) checks the BPLUT before scheduling a flow for

forwarding by the FPU. The TPU uses the "Egress Port" and the "Priority" fields within the

"TPI" to form the logical port to check against the BPLUT. If the BPLUT indicates that

data should not be sent to this logical port, the TPU does not schedule a forwarding

command for this flow to the FPU. When this logical port is again available, the TPU may

then schedule a selected flow that uses the logical port by sending a forwarding command

corresponding to this flow to the FPU command storage. Using the scheduling command,

the FPU fetches from the storage unit an information segment belonging to the selected

flow and sends it to a switch fabric control unit ("SFC") for framing before sending to the

I/O unit to forward to the switch fabric. The TPU scheduler also reads a status within the

backpressure lookup table (BPLUT). The backpressure lookup table is stored in an internal

SSRAM. The backpressure look up table contains the congestion status of the logical ports.

Each logical port is associated with a CoS (e.g., priority) of a corresponding physical port.

Therefore, since the network processor of the example herein has up to 256 priorities (8

weight bits) for 16 physical ports, there are 256.times.16=4096 logical ports. If a bit within

the backpressure table is set to one, the corresponding logical port is congested. Otherwise,

the corresponding port is not congested. Each entry of the BPLUT may be set by a

congestion message from the corresponding logical port). It would have been obvious to

one of ordinary skill in the art at the time of invention was made to modify Bass's method by

adding the limitation of Trinth in order to improve network performance by reducing

network congestion based on the priorities set to different flows.

       Regarding claims 18 and 31, Bass does not explicitly disclose:

Application/Control Number: 13/360,310   Page 6
Art Unit: 2462

the step of determining at least one weighting factor comprises determining, based

on the backpressure signal, a set of weighting factors (Col. 9; lines 25-39).

Bass does not explicitly disclose that the step of adjusting the amount of rate limiting

comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based

on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic

based on a second weighting factor of the set of weighting factors.

In an analogous art, Anderson discloses that the step of adjusting the amount of rate

limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based

on a first weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic

based on a second weighting factor of the set of weighting factors (¶ 22; Ingress

backpressure mechanism uses packet or cell counters to track the number of packets or cells

used on an ingress port basis. Ingress mechanism includes registers for a set of 8

individually configurable thresholds and registers used to specify which of the 8 thresholds

are to be used for every ingress port in the system. The set of thresholds include a limit

threshold, a discard limit threshold and a reset limit threshold 316). It would have been

obvious to one of ordinary skill in the art at the time of invention was made to modify Bass's

method by adding the limitation of Anderson in order to dynamically manage different

queues based on their fill level.

Regarding claims 19 and 32, Bass discloses that the backpressure signal is a backpressure message that indicates a tilt level state of at least one packet queue (Abstract and Col. 7; lines 46-50; A "back pressure" system keeps a flow from being selected if its output cannot accept an additional frame because the current level of that port queue exceeds a threshold. This system provides a form of back pressure to limit the output, preventing frames from being sent out that the system cannot handle).

Regarding claims 21 and 34, Bass does not explicitly disclose that the backpressure signal is received from a downstream data processing unit.

In an analogous art, Anderson discloses that the backpressure signal is received from a downstream data processing unit (¶ 21; ingress backpressure mechanism). It would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Bass's method by adding the limitation of Anderson in order to improve the flow control based on the capacity utilization level of the receiver.

Regarding claims 22 and35, Bass discloses generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor (Col. 8; lines 41-60; Each of the WFQ calendars is associated with a pair of ports; thus, WFQ Port 0 is associated with a higher priority port 0 and a lower priority port 0. If the target port queue's threshold has been exceeded, no further action is taken by that WFQ calendar during the scheduler.sub.-- tick. (This system provides a form of back pressure to limit the output, preventing frames from being sent out that the system cannot handle.) If the target port queue's threshold has not been exceeded, the slot that is indicated by the current pointer is then examined. If the slot is

found to be empty, then the current pointer may advance to the next non-empty slot to find

a flow queue WFQ candidate. If all slots are found to be empty, the current pointer is

unchanged and no candidate is found. If the slot is found to be non-empty within this one

calendar, then the flow queue address in stored in the slot is the WFQ candidate for this

port. Each of the WFQ calendars will similarly be able to find a candidate for its associated

target port queue.

Regarding claims 23 and 36, Bass discloses that the contents of the backpressure

message indicates that at least one fill-level threshold for a packet queue has been crossed

(Abstract; A "back pressure" system keeps a flow from being selected if its output cannot

accept an additional frame because the current level of that port queue exceeds a threshold).

5.   Claims 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bass et

al. (US 6952424) in view of Anderson et al. (US 2006/0248242), further in view of Trinth et

al. (US 2004/0015599) and further in view of Khotimsky et al. (US 6788686).

Regarding claim 24, Bass discloses a traffic flow control system for controlling a flow

of ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The present

invention includes an improved system and method for scheduling the distribution of

information units from a flow control system coupled to a plurality of network processing

units toward a data transmission network through a MAC), the traffic flow control system

comprising:

a first rate limiter configured to provide an amount of rate limiting to a flow queue ingress

data packets, the amount of rate limiting being dependent upon a first weighting factor (Col.

3; lines 32-36; Col. 6; line 63… Col. 7, line 7); and

a controller configured to (claim 6; controller):

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the transmitter

preventing frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data packets

based on the received backpressure signal (Col. 8; lines 45-50; claim 2; providing a back

pressure indicator signal to said weighted fair calendar when an output queue associated with

said weighted fair calendar is not empty, preventing that output queue from being selected

during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data

packets by adjusting the first weighting factor used by the first rate limiter based on the

determined first weighting factor value (Col. 8; lines 40-50; claim 4; Col. 9; lines 48-57).

Bass does not explicitly disclose that the flow queue is a first portion of the flow.

In an analogous art, Khotimsky discloses that the flow queue is a first portion of the

flow (Col. 4; lines 11-25; flow is split into different portions and the flow is controlled for

each portion). It would have been obvious to one of ordinary skill in the art at the time of

invention was made to modify Bass's method by adding the limitation of Khotimsky in order

to dynamically manage different portions of flows based on their corresponding egress

buffer fill level.

Regarding claim 25, Bass discloses a traffic flow control system for controlling a flow

of ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The present

invention includes an improved system and method for scheduling the distribution of

information units from a flow control system coupled to a plurality of network processing

units toward a data transmission network through a MAC), the traffic flow control system

comprising:

a second rate limiter configured to provide an amount of rate limiting to a flow queue

ingress data packets, the amount of rate limiting being dependent upon a first weighting

factor (Col. 3; lines 32-36; Col. 6; line 63… Col. 7, line 7); and

a controller configured to (claim 6; controller) :

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the transmitter

preventing frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data packets

based on the received backpressure signal (Col. 8; lines 45-50; claim 2; providing a back

pressure indicator signal to said weighted fair calendar when an output queue associated with

said weighted fair calendar is not empty, preventing that output queue from being selected

during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data

packets by adjusting the first weighting factor used by the first rate limiter based on the

determined first weighting factor value (Col. 8; lines 40-50; claim 4; Col. 9; lines 48-57).

Bass does not explicitly disclose that the flow queue is a second portion of the flow.

In an analogous art, Khotimsky discloses that the flow queue is a second portion of

the flow (Col. 4; lines 11-25; flow is split into different portions and the flow is controlled

for each portion). It would have been obvious to one of ordinary skill in the art at the time

of invention was made to modify Bass's method by adding the limitation of Khotimsky in

order to dynamically manage different portions of flows based on their corresponding egress

buffer fill level.

Regarding claim 26, Bass discloses that the backpressure signal is a backpressure

message that indicates a tilt level state of at least one packet queue (Abstract and Col. 7; lines

46-50; A "back pressure" system keeps a flow from being selected if its output cannot accept

an additional frame because the current level of that port queue exceeds a threshold. This

system provides a form of back pressure to limit the output, preventing frames from being

sent out that the system cannot handle).

Regarding claim 27, Bass further discloses that in determining the first weighting

factor value, the controller is configured to read the first weighting factor value from a

mapping of various fill level states for the at least one packet

queue to various weighting factor values (Col. 7; lines 46-50; claim 2 and 6; providing a back

pressure indicator signal to said weighted fair calendar when an output queue associated with

said weighted fair calendar is not empty, preventing that output queue from being selected

during the time cycle and the back pressure controller includes at least one port queue and a

threshold that limits the amount of information unit to be accommodated in said queue)

Regarding claim 28, Bass further discloses that the controller is further configured to

generate a traffic preference message for transmission to a source of the flow of ingress data

packets (Col. 9; lines 11-14), the traffic preference message indicating a type of data packet

preferred for transmission over the serial link in accordance with the determined first

weighting factor value (Col. 9; lines 11-24).

Regarding claims 29, Bass discloses that the contents of the backpressure message

indicates that at least one fill-level threshold for a packet queue has been crossed (Abstract;

A "back pressure" system keeps a flow from being selected if its output cannot accept an

additional frame because the current level of that port queue exceeds a threshold).

Application/Control Number: 13/360,310   Page 12
Art Unit: 2462

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

         Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SAMINA CHOUDHRY whose telephone number is

(571)270-7102. The examiner can normally be reached on Monday to Thursday (7:30 a.m.

to 5.00p.m.).

         If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Yemane Mesfin can be reached on (571)272-3927. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

         Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-

217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-9199 (IN USA

OR CANADA) or 571-272-1000.

/SAMINA CHOUDHRY/

Application/Control Number: 13/360,310   Page 13
Art Unit: 2462

       Examiner, Art Unit 2462

/Kevin C. Harper/

Primary Examiner, Art Unit 2462

	Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited	13/360,310	MADSEN ET AL.
	Examiner	Art Unit	Page 1 of 1
	SAMINA CHOUDHRY	2462	

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0015599 A1	01-2004	Trinh et al.	709/232
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)   **Notice of References Cited**   Part of Paper No. 20140531

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L3	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 15:38
L4	2	L3 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 15:38
L5	2	L4 and (rate or speed or fast$3 or slow$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 15:38
L6	3	3 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 15:47
L7	3	3 and (flow with control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 15:51
L8	2	3 and (tpu)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 16:55
S1	14467	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:33
S2	1373	S1 and (congest$4 with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:34
S3	80	S1 and ((halt$3 paus$3 backpressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:35
S4	80	S1 and ((halt$3 paus$3 backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:35
S5	2	S1 and ((backpressure near5 signal) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:36
S6	30	S1 and ((backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:36

S7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:36
S8	70	S1 and ((backpressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:39
S9	1329	S1 and ((backpressure back adj$3 pressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 00:39
S11	38	S1 and ((backpressure or back near2 pressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/09 00:40
S12	14467	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/09 23:36
S13	101	S12 and ((backpressure or back near2 pressure) same (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/09 23:36
S14	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/10 18:43
S15	1	S14 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/10 18:43
S18	1	S14 and ((weight$3 or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/10 19:01
S19	1	S14 and ((paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/10 19:03
S20	1	"13330365"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 11:03
S21	1	S20 and (relative with occupancy)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 11:29
S22	1	S20 and (relative)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 11:29
S24	5	"7023857".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:07
S25	1	S24 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2014/07/22 12:07

			JPO; DERWENT; IBM_TDB			
S26	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:18
S27	2	S26 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:18
S28	2	S26 and (congest$5 with message)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:52
S29	2	S26 and (bplut or table)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:53
S30	3	S26 and (bplut or table or congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:53
S31	2	S26 and (back pressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 12:57
S32	4	"7983287".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 13:07
S33	1	S32 and (weigh$3 or weight$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 13:07
S35	1	S32 and ((weigh$3 or weight$3) same (backpressure or back pressure or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 13:09
S36	3	S26 and (bplut or table or congest$4 or weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 13:33

7/22/2014 5:29:50 PM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13360310	MADSEN ET AL.
	Examiner	Art Unit
	SAMINA CHOUDHRY	2462

CPC- SEARCHED

Symbol	Date	Examiner
H04L 47/10	3/20/2014	SC

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner
H04L 5/0053, H04L 12/5602, H04L 2012/5636	03/20/2014	SC

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
		03/19/2014	

SEARCH NOTES

Search Notes	Date	Examiner
EAST search with all databases		
keyword search	03/19/2014	SC
370/235,229,464,465,468	03/19/2014	SC
Assignee and Inventorship Search done	03/19/2014	SC
Updated EAST search	07/15/2014	SC
UpdatedAssignee and Inventorship Search done	07/15/2014	SC

INTERFERENCE SEARCH

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L2	1376	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L3	1	L1 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L4	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L5	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L6	4	L4 or L5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L7	3	L6 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L8	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L9	1	L8 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L10	1	L6 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L11	2	L6 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L12	80	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L13	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L14	1	L13 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L15	1	L5 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34
L16	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2014/07/22 17:34

			DERWENT; IBM_TDB			
L17	1	L16 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2014/07/22 17:34

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Alexandria, VA 22314

**Courtesy Reminder for
Application Serial No: 13/360,310**

Attorney Docket No: ALC 3328-CON
Customer Number: 76614
Date of Electronic Notification: 07/30/2014

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
mail@krameramado.com

To view your correspondence online or update your email addresses, please visit us anytime at **https://sportal.uspto.gov/secure/myportal/privatepair.** If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

<div align="right">**PATENT**</div>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen, et al.
	:	
	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	2462
	:	
Examiner	:	Samina F. Choudhry
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

<div align="center">

REQUEST FOR RECONSIDERATION AFTER FINAL

</div>

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request is in response to the Office Action dated July 30, 2014, and is believed to be fully responsive to each point of the rejection raised therein. Accordingly, Applicant respectfully requests favorable reconsideration and allowance of all the claims in view of the following remarks.

CLAIMS begin on page 2 of this paper.

REMARKS begin on page 10 of this paper.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CLAIMS

1-16.   (Canceled)

17.   (Previously Presented) A method performed by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure signal.

18.   (Previously Presented) The method of claim 17, wherein the step of determining at least one weighting factor comprises:

determining, based on the backpressure signal, a set of weighting factors; and the step of adjusting the amount of rate limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data

packet traffic based on a first weighting factor of the set of weighting factors,

and

adjusting an amount of rate limiting with respect to a second type of

data packet traffic based on a second weighting factor of the set of weighting

factors.

19.   (Previously Presented) The method of claim 17, wherein the backpressure

signal is a backpressure message that indicates a fill level state of at least one

packet queue.

20.   (Previously Presented) The method of claim 19, wherein the step of

determining at least one weighting factor further comprises:

reading the at least one weighting factor from a mapping of various fill level

states for the at least one packet queue to various weighting factors.

21.   (Previously Presented) The method of claim 17, further comprising:

receiving the backpressure signal from a downstream data processing unit.

22.   (Previously Presented) The method of claim 17, further comprising:

generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

23.   (Previously Presented) The method of claim 17, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

24.   (Previously Presented) A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller configured to:

receive a backpressure signal,

determine a first weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow

of ingress data packets by adjusting the first weighting factor used by the

first rate limiter based on both the determined first weighting factor value

and a content of the backpressure signal.

25.   (Previously Presented) The traffic flow control system of claim 24, further

comprising:

a second rate limiter configured to provide an amount of rate limiting to a

second portion of the flow of ingress data packets that is different from the first

portion of the flow of ingress data packets, the amount of rate limiting of the second

rate limiter being dependent upon a second weighting factor, wherein the controller

is further configured to determine a second weighting factor value to be applied to

the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the second portion of the flow of ingress

data packets by adjusting the second weighting factor used by the second rate

limiter based on the determined second weighting factor value.

26.   (Previously Presented) The traffic flow control system of claim 24, wherein

the backpressure signal is a backpressure message that indicates a fill level state of

at least one packet queue.

27.   (Previously Presented) The traffic flow control system of claim 26, wherein, in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values.

28.   (Previously Presented) The traffic flow control system of claim 24, wherein the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value.

29.   (Previously Presented) The traffic flow control system of claim 24, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

30.   (Previously Presented)   A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising:

instructions for receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

instructions for determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

instructions for adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure.

31.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the instructions for determining at least one weighting factor comprise

instructions for determining, based on the backpressure signal, a set of weighting factors; and

the instructions for adjusting the amount of rate limiting comprise:

instructions for adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

instructions for adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

32.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

33.   (Previously Presented) The non-transitory machine-readable storage medium of claim 32, wherein the instructions for determining at least one weighting factor comprise:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

34.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is received from a downstream data processing unit.

35.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, further comprising:

instructions for generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

36.   (Previously Presented) The non-transitory machine-readable storage medium of claim 30, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

REMARKS

Claims 17-36 are pending in this application, of which claims 17, 24, and 30 are independent.

PRIOR ART REJECTIONS

On pages 2-8, the Office Action rejects claims 17-19, 21-23, 30-32, and 34-36 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,952,424 to Bass et al. ("Bass") in view of Pub. No. US 2006/0248242 to Andersen et al. ("Andersen"), and further in view of Pub. No. US2004/0015599 to Trinh et al. ("Trinh"). On pages 8-11, the Office Action rejects claims 24-29 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bass in view of Trinh, and further in view of U.S. Patent No. 6,788,686 to Khotimsky et al. ("Khotimsky"). On page 2, the Office Action indicates that claims 20 and 33 contain allowable subject matter.

Claim 17 recites, in part: "adjusting an **amount of rate limiting** applied to at least a portion of the flow of data packets based on **both** the determined at least one weighting factor and a **content** of the backpressure signal" in claim 17. Similar subject matter appears in claims 24 and 30. Applicant respectfully submits that the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

- 10 -

On page 4, the Office Action concedes that Bass does not disclose this subject matter. To remedy this admitted deficiency, the Examiner cites portions of Trinh, a 60-page jumbo patent. In particular, the Examiner relies upon "the weight stored in the back pressure look up table."

In response, Applicant respectfully submits that the claim language refers to both the content of the backpressure signal and the determined weighting factor. Together, these parameters control the adjustment of an **amount of rate limiting**. In contrast, the Examiner alleges that Trinh controls the "rate of the flow."

Instead of controlling a rate, paragraph [181] of Trinh discloses, for bit 63 of double word zero, "If this bit is set to one, then the flow is valid. Otherwise, when . . . zero, the flow is invalid."   It only alternates between valid and invalid flows.

Paragraph [0233] of Trinh discloses "flow control information" in the context of "sends flow control information to the egress network processor 624 so that it can inform the ingress network processor 622 not to send data."   Paragraph [0234] of Trinh similarly discloses "data should not be sent to this logical port."   Rather than adjusting an amount of rate limiting, Trinh stops all data at a particular port.

The other references of record fail to remedy the deficiencies of Bass and Trinh. Thus, Applicant respectfully submits that independent claims 17, 24, and 30 are allowable over the references of record.

Claim 27 recites: "reading the at least one weighting factor from a **mapping** of various fill level states for the at least one packet queue to various weighting factors" (emphasis added).   Similar subject matter appears in claims 20 and 33. The Examiner indicates that this subject matter is allowable in claims 20 and 33 but takes an inconsistent position for claim 27.

Bass fails to disclose the **mapping** of various fill level states for the at least one packet queue to various weighting factor.   On page 11, the rejection of claim 27 fails to address this subject matter because the Office Action does not show how the recited mapping is present in Bass.

Claims 18-23 depend from claim 17.   Claims 25-29 depend from claim 24. Claims 31-36 depend from claim 30.   Thus, claims 18-23, 25-29, and 31-36 are allowable at least due to their respective dependencies from allowable base claims. Therefore, Applicant respectfully requests withdrawal of all prior art rejections.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CONCLUSION

While Applicant respectfully submits that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues. In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: August 12, 2014   __/Terry W. Kramer/_____
Terry W. Kramer
Registration No.: 41,541

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Electronic Acknowledgement Receipt

EFS ID:	19842584
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradlin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	12-AUG-2014
Filing Date:	27-JAN-2012
Time Stamp:	14:38:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Response_AF.pdf	72141 131edf10577b524ede7038f974e0b35514d420b3	yes	13

Multipart Description/PDF files in .zip description

Document Description	Start	End
Response After Final Action	1	1
Claims	2	9
Applicant Arguments/Remarks Made in an Amendment	10	13

Warnings:

Information:

	Total Files Size (in bytes):	72141

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/360,310	Filing Date 01/27/2012	☐ To be Mailed

ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
	08/12/2014	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
AMENDMENT	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	x $80 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	x $420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

		(Column 1)		(Column 2)	(Column 3)		
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
AMENDMENT	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/DONNA 1. SMALLS LOGAN/

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614   7590   09/29/2014
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
09/29/2014	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

PTOL-90A (Rev. 04/07)

Advisory Action	**Application No.**	**Applicant(s)**
Advisory Action	13/360,310	MADSEN ET AL.
Before the Filing of an Appeal Brief	**Examiner** SAMINA CHOUDHRY	**Art Unit** 2462	**AIA (First Inventor to File) Status** No

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>12 August 2014</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

<u>NO NOTICE OF APPEAL FILED</u>

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance;

(2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

a) ☐   The period for reply expires _____months from the mailing date of the final rejection.

b) ☒   The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

c) ☐   A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires _____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

> *Examiner Note*: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE <u>FIRST</u> RESPONSE TO APPLICANT'S <u>FIRST</u> AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

b) ☐ They raise the issue of new matter (see NOTE below);

c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☐ will not be entered, or (b) ☒ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>Please see the attached continuation sheet.</u>

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☐ Other: _____.

<u>STATUS OF CLAIMS</u>

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: .

Claim(s) objected to: 20,27 and 33.

Claim(s) rejected: 17-19, 21-26, 28-32 and 34-36.

Claim(s) withdrawn from consideration: .

/SAMINA CHOUDHRY/
Examiner, Art Unit 2462

Continuation Sheet (PTOL-303) **Application No.**

Regarding claim 17, applicant argues on page of applicant's response that prior art does not explicitly disclose
" adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the
determined at least one weighting factor and a content of the backpressure signal". Examiner respectfully disagrees because
Trinth clearly discloses that the rate of the flow is controlled based on the information received from the congestion
message/backpressure message and the weight stored in the back pressure look up table (BPLUT) for each priority of COS.
Trinth further discloses that the TPU 162 checks a BPLUT 575 before scheduling a command to the FPU 165 to forward the
contents of one or more information segment storage units of a certain flow. A bit within the BPLUT 575 represents a logical
 port. The logical port represents the combination of a destination physical output port number and a priority of the flow
 (Where each flow has assigned weight accordind to the priority (Paragraph 180). The priority of the flow and the physical
 output port assigned to the flow are programmable within the network processor. The TPU 162 uses the "Egress Port" and
the "Priority" fields within the "TPI" to form the logical port to check against the BPLUT 575. If the backpressure bit is set for
 the logical port, the TPU 162 does not schedule a forwarding command to the FPU 165. The interprocessor communication
unit ("IPU") 576 receives information from another network processor to stop sending data to a logical port. The IPU 576
decodes the backpressure information and accordingly sets the particular one of the entries within the BPLUT 575
(Paragraph 205).

Regarding claim 27, applicant's arguments are persuasive. Claim 27 is objected to as being dependent upon a rejected
base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and
 any interveing claims.

2

OK TO ENTER: /S.C./

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen, et al.
	:	
	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	2462
	:	
Examiner	:	Samina F. Choudhry
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

REQUEST FOR RECONSIDERATION AFTER FINAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request is in response to the Office Action dated July 30, 2014, and is believed to be fully responsive to each point of the rejection raised therein. Accordingly, Applicant respectfully requests favorable reconsideration and allowance of all the claims in view of the following remarks.

CLAIMS begin on page 2 of this paper.

REMARKS begin on page 10 of this paper.

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen, et al.
	:	
	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	2462
	:	
Examiner	:	Samina F. Choudhry
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

APPEAL BRIEF

Mail Stop Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellant respectfully submits this Appeal Brief in response to the final

Office Action of July 30, 2014, the Advisory Action of September 29, 2014, and in

support of the Notice of Appeal filed herewith.

I. REAL PARTY IN INTEREST

The party in interest is Alcatel Lucent, by way of an Assignment recorded at

Reel 027610, frame 0953.

II. SUMMARY OF CLAIMED SUBJECT MATTER

The following summary refers to the specification of the present application by paragraph and line numbers.

The subject matter recited in independent claim 17 includes: "A method performed by a traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for performing flow control on a flow of data packets for transmission over a link, the method comprising: receiving, by a controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), wherein the backpressure signal (Fig. 1: 40; paragraph [0015], line 2) indicates a period of congestion; determining, by the controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of data packets based on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2); and adjusting an amount (paragraph [0016], lines 8-10) of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure signal (Fig. 1: 40; paragraph [0015], line 2)."

The subject matter recited in independent claim 24 includes: "A traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for controlling a flow of ingress

data packets to be transmitted over a link, the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) comprising: a first rate limiter (Fig. 1: 20; paragraph [0012], line 7) configured to provide an amount (paragraph [0016], lines 8-10) of rate limiting to a first portion of the flow of ingress data packets, the amount (paragraph [0016], lines 8-10) of rate limiting being dependent upon a first weighting factor (Fig. 1: W1; paragraph [0015], line 12); and a controller (Fig. 1: 42; paragraph [0012], line 13) configured to: receive a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), determine a first weighting factor value (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of ingress data packets based on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2), and adjust an amount (paragraph [0016], lines 8-10) of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor (Fig. 1: W1; paragraph [0015], line 12) used by the first rate limiter (Fig. 1: 20; paragraph [0012], line 7) based on both the determined first weighting factor value (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure signal (Fig. 1: 40; paragraph [0015], line 2)."

The subject matter recited in independent claim 30 includes: "A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising: instructions for

- 3 -

receiving, by a controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), wherein the backpressure signal (Fig. 1: 40; paragraph [0015], line 2) indicates a period of congestion; instructions for determining, by the controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of data packets based on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2); and instructions for adjusting an amount (paragraph [0016], lines 8-10) of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure (Fig. 1: 40; paragraph [0015], line 2)."

III.   ARGUMENT

A.   <u>Obviousness Rejections of Claims 17-19, 21-23, 30-32, 34-36</u>

On pages 2-8, the final Office Action rejected claims 17-19, 21-23, 30-32, and 34-36 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,952,424 to Bass et al. ("Bass") in view of Pub. No. US 2006/0248242 to Andersen et al. ("Andersen"), mistakenly listed as Anderson in the Office Action, and further in view of Pub. No. US2004/0015599 to Trinh et al. ("Trinh").

Rejections on obviousness grounds cannot be sustained with mere conclusory statements. Instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. See *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) and M.P.E.P. § 2142. The final Office Action failed to provide articulated reasoning to support its obviousness rejections. Hence, as described below, the final Office Action has failed to present a *prima facie* case of obviousness for any of the rejected claims.

The USPTO bears the initial burden of showing a *prima facie* case of obviousness. See *In re Sullivan*, 498 F.3d 1345, 1351 (Fed. Cir. 2007). When a *prima facie* case of obviousness is made, the burden then shifts to the Applicant to come forward with evidence and/or argument supporting patentability. See *In re Glaug*, 283 F.3d 1335, 1338 (Fed. Cir. 2002). Appellant respectfully submits that the final Office Action did not carry the burden in this case.

- 5 -

1.   Independent Claims 17 and 30

Claim 17 recites, in part: "adjusting an **amount of rate limiting** applied to at least a portion of the flow of data packets based on **both** the determined at least one weighting factor and a **content** of the backpressure signal" (emphasis added). Similar subject matter appears in claim 30. Appellant respectfully submits that the references of record fail to disclose, suggest, or teach this subject matter.

On page 4, the final Office Action conceded that Bass does not disclose this subject matter.   To remedy this admitted deficiency, the Examiner cited portions of Trinh, a 60-page jumbo patent. In particular, the Examiner relied upon "the weight stored in the back pressure look up table."

In response, Appellant respectfully submits that the claim language refers to both the content of the backpressure signal and the determined weighting factor. Together, these two parameters control the adjustment of an **amount** of rate limiting.   In contrast, the Examiner alleges that Trinh controls the "rate of the flow." Instead of controlling a rate, paragraph [181] of Trinh discloses, for bit 63 of double word zero, "If this bit is set to one, then the flow is valid. Otherwise, when . . . zero, the flow is invalid."   Thus, it alternates between valid and invalid flows.

Paragraph [0233] of Trinh discloses "flow control information" in the context of "sends flow control information to the egress network processor 624 so that it can inform the ingress network processor 622 not to send data."   Paragraph [0234] of

- 6 -

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

Trinh discloses, in part: "data should not be sent to this logical port." Rather than adjusting an **amount** of rate limiting, Trinh stops all data at a particular port.

In the Advisory Action, the Examiner alleges: "Trinh clearly discloses that the rate of the flow is controlled." In response, Appellant respectfully submits that the claims recite "adjusting an **amount** of rate limiting." As described above, Trinh either allows all data or stops all data. Because Trinh does not adjust an amount of rate limiting, Trinh cannot remedy the deficiencies of Bass. Thus, the final Office Action did not present a *prima facie* case of obviousness.

The other references of record fail to remedy the deficiencies of Bass and Trinh. Thus, Appellant respectfully submits that independent claims 17 and 30 are allowable over the references of record and requests withdrawal of the rejections of claims 17 and 30.

2.   <u>Dependent Claims 18, 19, 21-23, 31, 32, and 34-36</u>

Claims 18, 19, and 21-23 depend from claim 17.   Claims 31, 32, and 34-36 depend from claim 30.   Thus, claims 18, 19, 21-23, 31, 32, and 34-36 are allowable at least due to their respective dependencies from allowable base claims. Therefore, Appellant respectfully requests withdrawal of the rejections of claims 18, 19, 21-23, 31, 32, and 34-36.

B.   <u>Obviousness Rejections of Claims 24-26, 28, and 29</u>

On pages 8-11, the final Office Action rejected claims 24-29 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bass in view of Andersen, further in view of Trinh, and yet further in view of U.S. Patent No. 6,788,686 to Khotimsky et al. ("Khotimsky").   In the Advisory Action, the Examiner withdrew the rejection of claim 27.

1.   Independent Claim 24

Claim 24 recites, in part: "adjust an **amount of rate limiting** applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on **both** the determined first weighting factor value and a **content** of the backpressure signal" (emphasis added). Appellant respectfully submits that the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

On page 9, the final Office Action relied upon Bass for this subject matter. This position is inconsistent with the Examiner's admission that Bass does not disclose this subject matter when recited in independent claims 17 and 30. Moreover, Appellant respectfully submits that Bass is silent regarding the recited use of **both** the determined first weighting factor value and a **content** of the backpressure signal.

Khotimsky fails to remedy the deficiencies of Bass in view of Andersen, and further in view of Trinh. Thus, Applicant respectfully submits that claim 24 is allowable over the references of record and requests withdrawal of the rejection of claim 24.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

      2.   <u>Dependent Claims 25, 26, 28, and 29</u>

Claims 25, 26, 28, and 29 depend from claim 24.   Thus, claims 25, 26, 28, and 29 are allowable at least due to their dependencies from an allowable base claim. Therefore, Appellant respectfully requests withdrawal of the rejections of claims 25, 26, 28, and 29.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CONCLUSION

For at least the reasons discussed above, Appellant respectfully submits that the rejections are in error, and that claims 17-19, 21-26, 28-32, and 34-36 are in condition for allowance.   Therefore, Appellant respectfully requests that this Honorable Board reverse the rejections of claims 17-19, 21-26, 28-32, and 34-36.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: October 20, 2014   /Terry W. Kramer/
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IV. CLAIMS APPENDIX

CLAIMS INVOLVED IN THE APPEAL:

1-16. (Canceled)

17. (Rejected) A method performed by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure signal.

18. (Rejected) The method of claim 17, wherein the step of determining at least one weighting factor comprises:

determining, based on the backpressure signal, a set of weighting factors; and the step of adjusting the amount of rate limiting comprises:

- 13 -

adjusting an amount of rate limiting with respect to a first type of data

packet traffic based on a first weighting factor of the set of weighting factors,

and

adjusting an amount of rate limiting with respect to a second type of

data packet traffic based on a second weighting factor of the set of weighting

factors.

19.   (Rejected) The method of claim 17, wherein the backpressure signal is a

backpressure message that indicates a fill level state of at least one packet queue.

20.   (Objected) The method of claim 19, wherein the step of determining at least

one weighting factor further comprises:

reading the at least one weighting factor from a mapping of various fill level

states for the at least one packet queue to various weighting factors.

21.   (Rejected) The method of claim 17, further comprising:

receiving the backpressure signal from a downstream data processing unit.

22.   (Rejected) The method of claim 17, further comprising:

generating a traffic preference message for transmission to a source of the

flow of data packets, the traffic preference message indicating a type of data packet

preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

23.   (Rejected) The method of claim 17, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

24.   (Rejected) A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller configured to:

receive a backpressure signal,

determine a first weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on both the determined first weighting factor value and a content of the backpressure signal.

25.   (Rejected) The traffic flow control system of claim 24, further comprising:

a second rate limiter configured to provide an amount of rate limiting to a second portion of the flow of ingress data packets that is different from the first portion of the flow of ingress data packets, the amount of rate limiting of the second rate limiter being dependent upon a second weighting factor, wherein the controller is further configured to determine a second weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and adjust an amount of rate limiting applied to the second portion of the flow of ingress data packets by adjusting the second weighting factor used by the second rate limiter based on the determined second weighting factor value.

26.   (Rejected) The traffic flow control system of claim 24, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

27.   (Objected) The traffic flow control system of claim 26, wherein, in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values.

28.   (Rejected) The traffic flow control system of claim 24, wherein the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value.

29.   (Rejected) The traffic flow control system of claim 24, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

30.   (Rejected)   A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising:

instructions for receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

instructions for determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

- 17 -

instructions for adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure.

31.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the instructions for determining at least one weighting factor comprise

instructions for determining, based on the backpressure signal, a set of weighting factors; and

the instructions for adjusting the amount of rate limiting comprise:

instructions for adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

instructions for adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

32.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

33.   (Objected) The non-transitory machine-readable storage medium of claim 32, wherein the instructions for determining at least one weighting factor comprise:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

34.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is received from a downstream data processing unit.

35.   (Rejected) The non-transitory machine-readable storage medium of claim 30, further comprising:

instructions for generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

36.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

Electronic Patent Application Fee Transmittal

Application Number:	13360310
Filing Date:	27-Jan-2012
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Filer:	Terry Wayne Kramer/wendy spradlin
Attorney Docket Number:	ALC 3328-CON

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Appeal Forwarding Fee	1413	1	2000	2000
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**2000**

Electronic Acknowledgement Receipt

EFS ID:	20459351
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradlin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	20-OCT-2014
Filing Date:	27-JAN-2012
Time Stamp:	13:58:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	NOT_APPEAL.pdf	281571 a513ce28211d98cb33bcb19fab7e7639636 7cc47	no	2

Warnings:
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| 2 | Appeal Brief Filed | Appeal_Brief.pdf | 98113 ———— 1040889dd74be821355ca6d30857f6ff42bf05d9 | no | 19 |

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| 3 | Fee Worksheet (SB06) | fee-info.pdf | 30020 ———— 5f05538c95a7239b51f14cf298610d51bd720ce6 | no | 2 |

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	Application Number 13/360,310	Filed January 27, 2012
	For Ingress Traffic Control in a Data Communications System	
	Art Unit 2462	Examiner Samina F. Choudhry

Applicant hereby **appeals** to the Patent Trial and Appeal Board from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) $ 800.00

☐ Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: $ _____

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Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

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☐ applicant   ☑ attorney or agent of record   ☐ attorney or agent acting under 37 CFR 1.34
                        Registration number 41,541   Registration number _____

Signature /Terry W. Kramer/

Typed or printed name Terry W. Kramer

Telephone Number (703) 519-9801

Date October 20, 2014

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
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Electronic Patent Application Fee Transmittal

Application Number:	13360310
Filing Date:	27-Jan-2012
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Filer:	Terry Wayne Kramer/wendy spradlin
Attorney Docket Number:	ALC 3328-CON

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of Appeal	1401	1	800	800
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**800**

Electronic Acknowledgement Receipt

EFS ID:	20459430
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradlin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	20-OCT-2014
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Time Stamp:	14:02:07
Application Type:	Utility under 35 USC 111(a)

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1	Fee Worksheet (SB06)	fee-info.pdf	30233 4ee8a396aebe020199d674d70837b60ca85256d1	no	2

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

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Terry W. Kramer, Esq.
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330 John Carlyle Street
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Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
03/13/2015	ELECTRONIC

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PTOL-90A (Rev. 04/07)

Office Action Summary	Application No. 13/360,310	Applicant(s) MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	Art Unit 2462	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10/20/2014_.
    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) _17-36_ is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☐ Claim(s) _____ is/are rejected.

8)☒ Claim(s) _20 and 33_ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    Certified copies:
    a)☐ All   b)☐ Some**   c)☐ None of the:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
    Paper No(s)/Mail Date _____.

3)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

4)☐ Other: _____.

Application/Control Number: 13/360,310 Page 2

Art Unit: 2462

DETAILED ACTION

1.   In view of the appeal brief filed on 12/10/2010, PROSECUTION IS HEREBY

REOPENED. A new ground of rejection is set forth below.

        To avoid abandonment of the application, appellant must exercise one of the following two

options:

        (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

        (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an

appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can

be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been

increased since they were previously paid, then appellant must pay the difference between the

increased fees and the amount previously paid.

        A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing

below:

        ****

        /YEMANE MESFIN/
        Supervisory Patent Examiner, Art Unit 2462

Application/Control Number: 13/360,310   Page 3

Art Unit: 2462

<div style="text-align:center">***Response to Arguments***</div>

1.   This action is response to the communication filed on 10/20/2014. Claims 17-36 are

pending.

Examiner is re-opening the prosecution because of the header error and overlooked limitation for

claim 24. Examiner has maintained the prior art rejected as the panel agreed unanimously.

        On page 6 of Appellant's response, Appellant argues:

        "Claim 17 recites, in part: "adjusting an <u>amount of rate limiting</u> applied to at least a portion

of the flow of data packets based on <u>both</u> the determined at least one weighting factor and a <u>content</u>

of the backpressure signal" (emphasis added). Similar subject matter appears in claim 30. Appellant

respectfully submits that the references of record fail to disclose, suggest, or teach this subject

matter".

        Examiner respectfully disagrees because applicant does not specify "amount of rate limiting".

The claim language does not disclose "amount" means how much amount. The "amount" can be

any change/reduction to the rate of the flow of data packets based on the priority (weight) assigned

to the flow of data packets (¶ 76; 180; 205) and feedback/back pressure signal received by the input

unit from the output unit for that priority of flow (¶ 23-234). The amount of rate limiting is adjusted

dynamically based on the status of the output port (congested or not congested) and each port is

associated with a CoS (e.g., priority/weight) (¶ 180; 205).

        Trinth discloses assigning multiple ports to a flow (¶ 233; all ports having the same

priority/class) and the back pressure message contains a port number to which data should not be

sent (Fig. 22; ¶ 233; An IPU fetches the flow-control information from the control input storage and

decodes it and sends to an IPU a back-pressure message that includes the logical port number to

Application/Control Number: 13/360,310   Page 4
Art Unit: 2462

which data should not be sent. The IPU sets a value within the BPLUT corresponding to the logical

port so that it indicates that data should not be sent to that logical port number specified by the

flow-control information. Note that the IPU can also specify that the ingress network processor

should not send data to a set of ports (e.g., all ports having the same priority/class). So data flow to

one port or a set of ports is controlled based on the status (congested or not congested) of those

ports (¶ 233). Controlling flow of data packets to one port or set of ports is in fact "adjusting an

amount of rate limiting". If data is not sent to one port from a set of ports, it means the "amount"

of rate is reduced to adjust the output port congestion. Depending upon the severity of congestion,

data may not send to a set of ports. Hence, the "amount" of data flow to output ports after

adjusting can be $0 \leq$ rate of flow $>$ rate of flow before receiving the back-pressure message. The rate

of data flow can be reduced to zero or it can be above zero but less than the data flow at the time of

congestion depending upon the congestion level at the output port (¶ 76; 78; 106; 112 and 119).

Trinth further discloses that the rate of the flow is controlled based on the information

received from the congestion message/backpressure message and the weight stored in the back

pressure look up table (BPLUT) for each priority of COS (¶ 180 and 234). The traffic processing

unit (TPU) checks the BPLUT before scheduling a flow for forwarding by the FPU. The TPU uses

the "Egress Port" and the "Priority" fields within the "TPI" to form the logical port to check

against the BPLUT. If the BPLUT indicates that data should not be sent to this logical port, the

TPU does not schedule a forwarding command for this flow to the FPU. When this logical port is

again available, the TPU may then schedule a selected flow that uses the logical port by sending a

forwarding command corresponding to this flow to the FPU command storage. Using the

scheduling command, the FPU fetches from the storage unit an information segment belonging to

the selected flow and sends it to a switch fabric control unit ("SFC") for framing before sending to

the I/O unit to forward to the switch fabric. The TPU scheduler also reads a status within the

backpressure lookup table (BPLUT). The backpressure lookup table is stored in an internal

SSRAM. The backpressure look up table contains the congestion status of the logical ports. Each

logical port is associated with a CoS (e.g., priority) of a corresponding physical port. Therefore,

since the network processor of the example herein has up to 256 priorities (8 weight bits) for 16

physical ports, there are 256.times.16=4096 logical ports. If a bit within the backpressure table is

set to one, the corresponding logical port is congested. Otherwise, the corresponding port is not

congested. Each entry of the BPLUT may be set by a congestion message from the corresponding

logical port). It would have been obvious to one of ordinary skill in the art at the time of invention

was made to modify Bass's method by adding the limitation of Trinth in order to improve network

performance by reducing network congestion based on the priorities set to different flows (Fig. 22;

¶ 234).

In addition to Trinth, Bass also discloses determining, by the controller of the traffic flow

control system, at least one weighting factor to be applied to the flow of data packets based on the

received backpressure signal (Col. 7; lines 46-57; claim 2; providing a back pressure indicator signal

to said weighted fair calendar when an output queue associated with said weighted fair calendar is

not empty, preventing that output queue from being selected during the time cycle). A "back

pressure" system keeps a flow from being selected it its output cannot accept an additional frame

because the current level of that port queue exceeds a threshold (Abstract; Col. 8; lines 41-50).

The reasoning stated above also applies to other pending claims.

Application/Control Number: 13/360,310   Page 6

Art Unit: 2462

Allowable Subject Matter

2.   Claims 20 and 33 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 17-19, 21-23, and 30-32, 34-36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bass et al. (US 6952424) in view of Anderson et al. (US 2006/0248242) and

further in view of Trinth et al. (US 2004/0015599).

Regarding claims 17 and 30, Bass discloses a method performed by a traffic flow control

system /a non-transitory machine readable storage encoded with instructions by a traffic flow

control system (Col. 2; lines 16-27) for performing flow control on a flow of data packets for

transmission over a link (Col. 1; lines 65-67; The present invention includes an improved system and

method for scheduling the distribution of information units from a flow control system coupled to a

plurality of network processing units toward a data transmission network through a MAC), the

method comprising:

Application/Control Number: 13/360,310   Page 7
Art Unit: 2462

receiving, by a controller of the traffic flow control system, a backpressure signal (Col. 8; lines 48-50;

a backpressure is sent to the transmitter preventing frames from being sent out that the system

cannot handle);

 determining, by the controller of the traffic flow control system, at least one weighting factor to be

applied to the flow of data packets based on the received backpressure signal (Col. 7; lines 46-57;

claim 2; providing a back pressure indicator signal to said weighted fair calendar when an output

queue associated with said weighted fair calendar is not empty, preventing that output queue from

being selected during the time cycle).   Bass does not explicitly disclose that the backpressure signal

indicates a period of congestion.

        In an analogous art, Anderson discloses that the backpressure signal indicates a period of

congestion (¶ 22). It would have been obvious to one of ordinary skill in the art at the time of

invention was made to modify Bass's method by adding the limitation of Anderson in order to

improve network performance by reducing network congestion.

 Bass discloses adjusting an amount of rate limiting applied to at least a portion of the flow of data

packets based on the determined at least one weighting factor to be applied to the flow of data

packets (Col. 7; lines 46-50; claim 2 and 6; providing a back pressure indicator signal to said

weighted fair calendar when an output queue associated with said weighted fair calendar is not

empty, preventing that output queue from being selected during the time cycle and the back pressure

controller includes at least one port queue and a threshold that limits the amount of information

unit to be accommodated in said queue).

 Bass does not explicitly state that the adjustment of the rate is based on both the determined at

least one weighting factor and a content of the backpressure signal.

 In an analogous art, Trinth discloses that the adjustment of the rate is based (¶ 233;

Application/Control Number: 13/360,310   Page 8
Art Unit: 2462

The back-pressure management system includes components from the ingress network processor and the egress network processor. The switch fabric sends flow-control information to the egress network processor so that it can inform the ingress network processor not to send data to a particular one of the logical output ports. An I/O unit of the egress network processor forwards the control portion of the flow-control information to control input storage. The data portion is forwarded to the data input storage.

An IPU fetches the flow-control information from the control input storage and decodes it and sends to an IPU a back-pressure message that includes the logical port number to which data should not be sent. The IPU sets a value within the BPLUT corresponding to the logical port so that it indicates that data should not be sent to that logical port number specified by the information.) on both the determined at least one weighting factor and a content of the backpressure signal (¶ 180 and 234; the rate of the flow is controlled based on the information received from the congestion message/backpressure message and the weight stored in the back pressure look up table (BPLUT) for each priority of COS.

The traffic processing unit (TPU) checks the BPLUT before scheduling a flow for forwarding by the FPU. The TPU uses the "Egress Port" and the "Priority" fields within the "TPI" to form the logical port to check against the BPLUT. If the BPLUT indicates that data should not be sent to this logical port, the TPU does not schedule a forwarding command for this flow to the FPU. When this logical port is again available, the TPU may then schedule a selected flow that uses the logical port by sending a forwarding command corresponding to this flow to the FPU command storage. Using the scheduling command, the FPU fetches from the storage unit an information segment belonging to the selected flow and sends it to a switch fabric control unit ("SFC") for framing before sending to the I/O unit to forward to the switch fabric. The TPU scheduler also reads a status

Application/Control Number: 13/360,310   Page 9
Art Unit: 2462

within the backpressure lookup table (BPLUT). The backpressure lookup table is stored in an

internal SSRAM. The backpressure look up table contains the congestion status of the logical ports.

Each logical port is associated with a CoS (e.g., priority) of a corresponding physical port.

Therefore, since the network processor of the example herein has up to 256 priorities (8 weight bits)

for 16 physical ports, there are 256.times.16=4096 logical ports. If a bit within the backpressure

table is set to one, the corresponding logical port is congested. Otherwise, the corresponding port is

not congested. Each entry of the BPLUT may be set by a congestion message from the

corresponding logical port). It would have been obvious to one of ordinary skill in the art at the time

of invention was made to modify Bass's method by adding the limitation of Trinth in order to

improve network performance by reducing network congestion based on the priorities set to

different flows.

 Regarding claims 18 and 31, Bass does not explicitly disclose:

         the step of determining at least one weighting factor comprises determining, based on the

backpressure signal, a set of weighting factors (Col. 9; lines 25-39).

         Bass does not explicitly disclose that the step of adjusting the amount of rate limiting

comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first

weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a

second weighting factor of the set of weighting factors.

 In an analogous art, Anderson discloses that the step of adjusting the amount of rate limiting

comprises:

Application/Control Number: 13/360,310   Page 10
Art Unit: 2462

adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first

weighting factor of the set of weighting factors and

adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a

second weighting factor of the set of weighting factors (¶ 22; Ingress backpressure mechanism uses

packet or cell counters to track the number of packets or cells used on an ingress port basis. Ingress

mechanism includes registers for a set of 8 individually configurable thresholds and registers used to

specify which of the 8 thresholds are to be used for every ingress port in the system. The set of

thresholds include a limit threshold, a discard limit threshold and a reset limit threshold 316). It

would have been obvious to one of ordinary skill in the art at the time of invention was made to

modify Bass's method by adding the limitation of Anderson in order to dynamically manage

different queues based on their fill level.

 Regarding claims 19 and 32, Bass discloses that the backpressure signal is a backpressure message

that indicates a tilt level state of at least one packet queue (Abstract and Col. 7; lines 46-50; A "back

pressure" system keeps a flow from being selected if its output cannot accept an additional frame

because the current level of that port queue exceeds a threshold. This system provides a form of

back pressure to limit the output, preventing frames from being sent out that the system cannot

handle).

 Regarding claims 21 and 34, Bass does not explicitly disclose that the backpressure signal is

received from a downstream data processing unit.

 In an analogous art, Anderson discloses that the backpressure signal is received from a downstream

data processing unit (¶ 21; ingress backpressure mechanism). It would have been obvious to one of

ordinary skill in the art at the time of invention was made to modify Bass's method by adding the

Application/Control Number: 13/360,310   Page 11
Art Unit: 2462

limitation of Anderson in order to improve the flow control based on the capacity utilization level of

the receiver.

Regarding claims 22 and 35, Bass discloses generating a traffic preference message for transmission

to a source of the flow of data packets, the traffic preference message indicating a type of data

packet preferred for transmission over the serial link in accordance with the determined at least one

weighting factor (Col. 8; lines 41-60; Each of the WFQ calendars is associated with a pair of ports;

thus, WFQ Port 0 is associated with a higher priority port 0 and a lower priority port 0. If the target

port queue's threshold has been exceeded, no further action is taken by that WFQ calendar during

the scheduler.sub.-- tick. (This system provides a form of back pressure to limit the output,

preventing frames from being sent out that the system cannot handle.) If the target port queue's

threshold has not been exceeded, the slot that is indicated by the current pointer is then examined. If

the slot is found to be empty, then the current pointer may advance to the next non-empty slot to

find a flow queue WFQ candidate. If all slots are found to be empty, the current pointer is

unchanged and no candidate is found. If the slot is found to be non-empty within this one calendar,

then the flow queue address in stored in the slot is the WFQ candidate for this port. Each of the

WFQ calendars will similarly be able to find a candidate for its associated target port queue.

Regarding claims 23 and 36, Bass discloses that the contents of the backpressure message indicates

that at least one fill-level threshold for a packet queue has been crossed (Abstract; A "back pressure"

system keeps a flow from being selected if its output cannot accept an additional frame because the

current level of that port queue exceeds a threshold).

5.   Claims 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bass et al. (US

6952424) in view of Anderson et al. (US 2006/0248242), in view of Khotimsky et al. (US 6788686),

and further in view of Trinth et al. (US 2004/0015599).

Application/Control Number: 13/360,310   Page 12
Art Unit: 2462

Regarding claim 24, Bass discloses a traffic flow control system for controlling a flow of

ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The present invention includes

an improved system and method for scheduling the distribution of information units from a flow

control system coupled to a plurality of network processing units toward a data transmission

network through a MAC), the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a flow queue ingress data

packets, the amount of rate limiting being dependent upon a first weighting factor (Col. 3; lines 32-

36; Col. 6; line 63… Col. 7, line 7); and

a controller configured to (claim 6; controller):

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the transmitter preventing

frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data packets based on

the received backpressure signal (Col. 8; lines 45-50; claim 2; providing a back pressure indicator

signal to said weighted fair calendar when an output queue associated with said weighted fair

calendar is not empty, preventing that output queue from being selected during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by

adjusting the first weighting factor used by the first rate limiter (Col. 8; lines 40-50; claim 4; Col. 9;

lines 48-57).

Bass does not explicitly disclose that the flow queue is a first portion of the flow.

In an analogous art, Khotimsky discloses that the flow queue is a first portion of the flow

(Col. 4; lines 11-25; flow is split into different portions and the flow is controlled for each portion).

It would have been obvious to one of ordinary skill in the art at the time of invention was made to

Application/Control Number: 13/360,310   Page 13
Art Unit: 2462

modify Bass's method by adding the limitation of Khotimsky in order to dynamically manage

different portions of flows based on their corresponding egress buffer fill level.

Bass discloses adjusting an amount of rate limiting applied to at least a portion of the flow of

data packets based on the determined at least one weighting factor to be applied to the flow of data

packets (Col. 7; lines 46-50; claim 2 and 6; providing a back pressure indicator signal to said

weighted fair calendar when an output queue associated with said weighted fair calendar is not

empty, preventing that output queue from being selected during the time cycle and the back pressure

controller includes at least one port queue and a threshold that limits the amount of information

unit to be accommodated in said queue).

Bass does not explicitly state that the adjustment of the rate is based on both the determined

at least one weighting factor and a content of the backpressure signal.

In an analogous art, Trinth discloses that the adjustment of the rate is based (¶ 233;

The back-pressure management system includes components from the ingress network processor

and the egress network processor. The switch fabric sends flow-control information to the egress

network processor so that it can inform the ingress network processor not to send data to a

particular one of the logical output ports. An I/O unit of the egress network processor forwards

the control portion of the flow-control information to control input storage. The data portion is

forwarded to the data input storage. An IPU fetches the flow-control information from the control

input storage and decodes it and sends to an IPU a back-pressure message that includes the logical

port number to which data should not be sent. The IPU sets a value within the BPLUT

corresponding to the logical port so that it indicates that data should not be sent to that logical port

number specified by the information.) on both the determined at least one weighting factor and a

content of the backpressure signal (¶ 180 and 234; the rate of the flow is controlled based on the

Application/Control Number: 13/360,310   Page 14
Art Unit: 2462

information received from the congestion message/backpressure message and the weight stored in

the back pressure look up table (BPLUT) for each priority of COS.

The traffic processing unit (TPU) checks the BPLUT before scheduling a flow for forwarding by the

FPU. The TPU uses the "Egress Port" and the "Priority" fields within the "TPI" to form the logical

port to check against the BPLUT. If the BPLUT indicates that data should not be sent to this

logical port, the TPU does not schedule a forwarding command for this flow to the FPU. When

this logical port is again available, the TPU may then schedule a selected flow that uses the logical

port by sending a forwarding command corresponding to this flow to the FPU command storage.

Using the scheduling command, the FPU fetches from the storage unit an information segment

belonging to the selected flow and sends it to a switch fabric control unit ("SFC") for framing before

sending to the I/O unit to forward to the switch fabric. The TPU scheduler also reads a status

within the backpressure lookup table (BPLUT). The backpressure lookup table is stored in an

internal SSRAM. The backpressure look up table contains the congestion status of the logical ports.

Each logical port is associated with a CoS (e.g., priority) of a corresponding physical port.

Therefore, since the network processor of the example herein has up to 256 priorities (8 weight bits)

for 16 physical ports, there are 256.times.16=4096 logical ports. If a bit within the backpressure

table is set to one, the corresponding logical port is congested. Otherwise, the corresponding port is

not congested. Each entry of the BPLUT may be set by a congestion message from the

corresponding logical port). It would have been obvious to one of ordinary skill in the art at the time

of invention was made to modify Bass's method by adding the limitation of Trinth in order to

improve network performance by reducing network congestion based on the priorities set to

different flows.

Application/Control Number: 13/360,310   Page 15
Art Unit: 2462

Regarding claim 25, Bass discloses a traffic flow control system for controlling a flow of

ingress data packets to be transmitted over a link (Col. 1; lines 65-67; The present invention includes

an improved system and method for scheduling the distribution of information units from a flow

control system coupled to a plurality of network processing units toward a data transmission

network through a MAC), the traffic flow control system comprising:

a second rate limiter configured to provide an amount of rate limiting to a flow queue ingress data

packets, the amount of rate limiting being dependent upon a first weighting factor (Col. 3; lines 32-

36; Col. 6; line 63… Col. 7, line 7); and

a controller configured to (claim 6; controller) :

receive a backpressure signal (Col. 8; lines 48-50; a backpressure is sent to the transmitter preventing

frames from being sent out that the system cannot handle)

determine a first weighting factor value to be applied to the flow of ingress data packets based on

the received backpressure signal (Col. 8; lines 45-50; claim 2; providing a back pressure indicator

signal to said weighted fair calendar when an output queue associated with said weighted fair

calendar is not empty, preventing that output queue from being selected during the time cycle), and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by

adjusting the first weighting factor used by the first rate limiter based on the determined first

weighting factor value (Col. 8; lines 40-50; claim 4; Col. 9; lines 48-57).

 Bass does not explicitly disclose that the flow queue is a second portion of the flow.

In an analogous art, Khotimsky discloses that the flow queue is a second portion of the flow

(Col. 4; lines 11-25; flow is split into different portions and the flow is controlled for each portion).

It would have been obvious to one of ordinary skill in the art at the time of invention was made to

Application/Control Number: 13/360,310   Page 16
Art Unit: 2462

modify Bass's method by adding the limitation of Khotimsky in order to dynamically manage

different portions of flows based on their corresponding egress buffer fill level.

Regarding claim 26, Bass further discloses that the backpressure signal is a backpressure

message that indicates a tilt level state of at least one packet queue (Abstract and Col. 7; lines 46-50;

A "back pressure" system keeps a flow from being selected if its output cannot accept an additional

frame because the current level of that port queue exceeds a threshold. This system provides a form

of back pressure to limit the output, preventing frames from being sent out that the system cannot

handle).

Regarding claim 27, Bass further discloses that in determining the first weighting factor

value, the controller is configured to read the first weighting factor value from a mapping of various

fill level states for the at least one packet queue to various weighting factor values (Col. 7; lines 46-

50; claim 2 and 6; providing a back pressure indicator signal to said weighted fair calendar when an

output queue associated with said weighted fair calendar is not empty, preventing that output queue

from being selected during the time cycle and the back pressure controller includes at least one port

queue and a threshold that limits the amount of information unit to be accommodated in said

queue)

Regarding claim 28, Bass further discloses that the controller is further configured to

generate a traffic preference message for transmission to a source of the flow of ingress data packets

(Col. 9; lines 11-14), the traffic preference message indicating a type of data packet preferred for

transmission over the serial link in accordance with the determined first weighting factor value (Col.

9; lines 11-24).

Regarding claims 29, Bass discloses that the contents of the backpressure message indicates

that at least one fill-level threshold for a packet queue has been crossed (Abstract; A "back pressure"

Application/Control Number: 13/360,310   Page 17
Art Unit: 2462

system keeps a flow from being selected if its output cannot accept an additional frame because the

current level of that port queue exceeds a threshold).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to SAMINA CHOUDHRY whose telephone number is (571)270-7102. The

examiner can normally be reached on Monday to Thursday (7:30 a.m. to 5.00p.m.).

          If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Yemane Mesfin can be reached on (571)272-3927. The fax phone number for the organization

where this application or proceeding is assigned is 571-273-8300.

          Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may

be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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          /SAMINA CHOUDHRY/

          Examiner, Art Unit 2462

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	10040	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L2	979	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L3	466	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L4	94435	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L5	3	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L6	3	L3 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L8	2	"6570848".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L9	4	"6031821".pn.	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L10	6	L8 or L9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L11	2	L10 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L12	4	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L13	1	L12 not L6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L14	10	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L15	2	"6170022".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L16	1	L15 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L17	1	L15 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L18	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L19	92	"6788686"	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L20	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L21	5	L18 or L20	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L22	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L23	2	L21 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L24	2	L23 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L25	3	"20130132573"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L26	1	L25 and (embed$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L27	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L28	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L29	5	L27 or L28	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L30	3	L29 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L31	3	L29 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L32	3	L29 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L33	1	L29 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L34	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L35	1	L34 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L36	1	L34 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L37	1	L34 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L38	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L39	1	L38 and (weight$3 or weigh$3)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L40	2	L29 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L41	1	L29 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L42	1	L29 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L43	316404	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L44	94795	((weight or weigh$3)with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L45	4720	L44 and (flow near2 control)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L46	1674	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L47	43	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L48	49	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L49	459	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

		with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L50	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L51	3	L48 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L52	75	L49 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L53	27	L49 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L54	23915	(network and (weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L55	493	(network and (weight or weigh$3) with (paus$3 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L56	26	L55 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L57	166	L55 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L58	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L59	2	L58 and (weight$3 or weigh$3)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L60	2	"20040257997"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L61	2	L60 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L62	1	L60 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L63	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L64	2	L63 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L65	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L66	1	L65 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L67	1	L65 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L68	1	L65 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L69	1	L65 and (back)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L70	1	L65 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L71	1	L65 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L72	1	L65 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L73	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L74	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L75	1	L74 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L76	1	L74 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L77	1	L74 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L78	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L79	1	L78 and (congest$5)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L80	1	L78 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L81	13	"7802028".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L82	1	L81 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L83	1	L81 and (congest$4 same (stop$3 or paus$3 or stop$4 or halt$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L84	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L85	2	L84 and (congestion same pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L86	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L87	1	L86 and (weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L88	1	L86 and (weigh$3 and (pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L89	2	L84 and (backpressure or back pressure or halt$3 or stop$4 or	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
		pause)				
L90	2	L84 and ((backpressure or back pressure or halt$3 or stop$4 or pause) and (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L91	2	L84 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L92	1	L86 and ((pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L93	2	L86 and (threshold or level or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L94	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L95	1	L94 and (Flow or pause or stop$3 or halt$3 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L96	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L97	1	L96 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L98	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L99	1	L98 and ((weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L100	1	L98 and ((weight or weigh$3) and (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L101	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L102	1	L101 and (indicator)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L103	1	L94 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L104	1	L94 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L105	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L106	2	L105 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L107	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L108	1	L107 and (controller)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L109	1	L96 and (controller with pause or stop$3 or halt$3)	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L110	1	L96 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L111	1	L98 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L112	1	L96 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L113	1	L98 and (portion or part)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L114	1	L94 and (portion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L115	6	"11907871"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L116	3	"8130649".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L117	2	L116 and (set near2 weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L118	1	L116 and (set near2 weigh$4).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L119	1	L116 and (cross$3 or threshold).clm.	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L120	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L121	1	L120 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L122	40045	h04l47/10.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L123	5487	h04l12/5602.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L124	2890	h04l2012/5636.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L125	22835	h04l5/0053.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L126	68391	L122 or L123 or L124 or L125	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L127	33	L126 and ((weight or weigh$3) with (paus or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L128	37	L126 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L129	131	L126 and ((weight or weigh$3) same (pause or halt$3 or stop$4 or	US-PGPUB; USPAT;	ADJ	ON	2015/03/06 19:43

		back pressure or backpressure))	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L130	72	L129 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L131	54019	370/329,335,464,465,468.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L132	7966	L131 and (pause or halt$3 or stop$4 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L133	26	L131 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L134	2	L130 and L133	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L135	24	L133 not L134	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L136	2	L135 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43
L137	15	L135 and (network and flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:43

3/6/2015 7:47:44 PM
C:\Users\schoudhry\Documents\EAST\Workspaces\13360310.wsp

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	15791	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L2	1487	L1 and (congest$4 with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L3	85	L1 and ((halt$3 paus$3 backpressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L4	85	L1 and ((halt$3 paus$3 backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L5	2	L1 and ((backpressure near5 signal) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L6	33	L1 and ((backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L8	80	L1 and ((backpressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L9	1468	L1 and ((backpressure back adj$3 pressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L10	41	L1 and ((backpressure or back near2 pressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L11	15791	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L12	111	L11 and ((backpressure or back near2 pressure) same (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48

L13	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L14	1	L13 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L15	1	L13 and ((weight$3 or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L16	1	L13 and ((paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L17	2	"13330365"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L18	2	L17 and (relative with occupancy)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L19	2	L17 and (relative)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L20	5	"7023857".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L21	1	L20 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L22	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L23	2	L22 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L24	2	L22 and (congest$5 with message)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L25	2	L22 and (bplut or table)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L26	3	L22 and (bplut or table or congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L27	2	L22 and (back pressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/03/06 19:48

			JPO; DERWENT; IBM_TDB			
L28	4	"7983287".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L29	1	L28 and (weigh$3 or weight$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L30	1	L28 and ((weigh$3 or weight$3) same (backpressure or back pressure or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L31	3	L22 and (bplut or table or congest$4 or weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L32	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L33	2	L32 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L34	2	L33 and (rate or speed or fast$3 or slow$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L35	3	L32 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L36	3	L32 and (flow with control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L37	2	L32 and (tpu)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L38	15791	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L39	1487	L38 and (congest$4 with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L40	85	L38 and ((halt$3 paus$3 backpressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L41	85	L38 and ((halt$3 paus$3 backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48

L42	2	L38 and ((backpressure near5 signal) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L43	33	L38 and ((backpressure) with (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L44	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L45	80	L38 and ((backpressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L46	1468	L38 and ((backpressure back adj$3 pressure) same (weight weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L47	41	L38 and ((backpressure or back near2 pressure) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L48	15791	(halt$3 paus$3 backpressure) and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/06 19:48
L49	111	L48 and ((backpressure or back near2 pressure) same (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L50	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L51	1	L50 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L52	1	L50 and ((weight$3 or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L53	1	L50 and ((paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L54	2	"13330365"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L55	2	L54 and (relative with occupancy)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L56	2	L54 and (relative)	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/03/06 19:48

			JPO; DERWENT; IBM_TDB			
L57	5	"7023857".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L58	1	L57 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L59	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L60	2	L59 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L61	2	L59 and (congest$5 with message)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L62	2	L59 and (bplut or table)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L63	3	L59 and (bplut or table or congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L64	2	L59 and (back pressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L65	4	"7983287".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L66	1	L65 and (weigh$3 or weight$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L67	1	L65 and ((weigh$3 or weight$3) same (backpressure or back pressure or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L68	3	L59 and (bplut or table or congest$4 or weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L69	9	"20040015599"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L70	2	L69 and (back pressure or backpressure or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48

L71	2	L70 and (rate or speed or fast$3 or slow$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L72	3	L69 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L73	3	L69 and (flow with control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48
L74	2	L69 and (tpu)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:48

3/6/2015 7:51:45 PM
C:\Users\schoudhry\Documents\EAST\Workspaces\13360310_Final.wsp

Search Notes	Application/Control No. 13360310	Applicant(s)/Patent Under Reexamination MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	Art Unit 2462

CPC- SEARCHED		
Symbol	**Date**	**Examiner**
H04L 47/10	3/20/2014	SC

CPC COMBINATION SETS - SEARCHED		
Symbol	**Date**	**Examiner**
H04L 5/0053, H04L 12/5602, H04L 2012/5636	03/20/2014	SC

US CLASSIFICATION SEARCHED			
Class	**Subclass**	**Date**	**Examiner**
		03/19/2014	

SEARCH NOTES		
Search Notes	**Date**	**Examiner**
EAST search with all databases		
keyword search	03/19/2014	SC
370/235,229,464,465,468	03/19/2014	SC
Assignee and Inventorship Search done	03/19/2014	SC
Updated EAST search	07/15/2014	SC
UpdatedAssignee and Inventorship Search done	07/15/2014	SC
Updated EAST search	08/08/2014	SC
UpdatedAssignee and Inventorship Search done	08/08/2014	SC
Updated EAST search	02/20/2015	SC
UpdatedAssignee and Inventorship Search done	02/20/2015	SC

INTERFERENCE SEARCH			
US Class/ CPC Symbol	**US Subclass / CPC Group**	**Date**	**Examiner**
	Please see the attached EAST search history.	08/09/2014	SC

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L2	1486	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L3	1	L1 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L4	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L5	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L6	4	L4 or L5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L7	3	L6 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L8	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L9	1	L8 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L10	1	L6 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L11	2	L6 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L12	92	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L13	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L14	1	L13 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L15	1	L5 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L16	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/03/06 19:37

			DERWENT; IBM_TDB			
L17	1	L16 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L18	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L19	1486	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L20	1	L18 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L21	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L22	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L23	4	L21 or L22	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L24	3	L23 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L25	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L26	1	L25 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L27	1	L23 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L28	2	L23 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L29	92	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L30	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L31	1	L30 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L32	1	L22 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L33	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37
L34	1	L33 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/03/06 19:37

3/6/2015 7:40:27 PM

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614   7590   03/20/2015
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
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Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
03/20/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

PTOL-90A (Rev. 04/07)

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	13/360,310	MADSEN ET AL.
	Examiner	**Art Unit**	
	SAMINA CHOUDHRY	2462	

All participants (applicant, applicant's representative, PTO personnel):

(1) *SAMINA CHOUDHRY*.   (3) _____.

(2) *Patric Wamsley*.   (4) _____.

Date of Interview: *03/16/2015*.

Type: ☒ Telephonic   ☐ Video Conference
       ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes   ☒ No.
    If Yes, brief description: _____.

Issues Discussed   ☐101 ☐112 ☐102 ☒103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *Independent claims and claim 27*.

Identification of prior art discussed: _____.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner explained to the applicant that prior art rejection was maintained after re-opening the proseuction because both conferees agreed with the prior art rejection. The prosecution was re-opened to address the header and missed limitation for claim 24 in final rejection. Examiner agreed with the applican that claim 27 is objected to as being dependent upon a rejected base claim, but would be allowable if overcome claim objection and rewritten in independent form including all of the limitations of the base claim and any intervening claims. _____.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/SAMINA CHOUDHRY/ Examiner, Art Unit 2462	

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Alexandria, VA 22314

**Courtesy Reminder for
Application Serial No: 13/360,310**

Attorney Docket No: ALC 3328-CON
Customer Number: 76614
Date of Electronic Notification: 03/13/2015

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

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    mail@krameramado.com

To view your correspondence online or update your email addresses, please visit us anytime at **https://sportal.uspto.gov/secure/myportal/privatepair.** If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	John Madsen, et al.
	:	
	:	INGRESS TRAFFIC CONTROL IN A
	:	DATA COMMUNICATIONS SYSTEM
	:	
Serial No.	:	13/360,310
	:	
Filed	:	January 27, 2012
	:	
Art Unit	:	2462
	:	
Examiner	:	Samina F. Choudhry
	:	
Att. Docket	:	ALC 3328-CON
	:	
Confirmation No.	:	1373

APPEAL BRIEF

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Alexandria, VA 22313-1450

Sir:

Appellant respectfully submits this Appeal Brief in response to the Office Action of March 13, 2015, and in support of the Notice of Appeal filed herewith.

I. REAL PARTY IN INTEREST

The party in interest is Alcatel Lucent, by way of an Assignment recorded at Reel 027610, frame 0953.

II. SUMMARY OF CLAIMED SUBJECT MATTER

The following summary refers to the specification of the present application by paragraph and line numbers.

The subject matter recited in independent claim 17 includes: "A method performed by a traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for performing flow control on a flow of data packets for transmission over a link, the method comprising: receiving, by a controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), wherein the backpressure signal (Fig. 1: 40; paragraph [0015], line 2) indicates a period of congestion; determining, by the controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of data packets based on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2); and adjusting an amount (paragraph [0016], lines 8-10) of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure signal (Fig. 1: 40; paragraph [0015], line 2)."

The subject matter recited in independent claim 24 includes: "A traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) comprising: a first rate limiter (Fig. 1: 20; paragraph [0012], line 7) configured to provide an amount (paragraph [0016], lines 8-10) of rate limiting to a first portion of the flow of ingress data packets, the amount (paragraph [0016], lines 8-10) of rate limiting being dependent upon a first weighting factor (Fig. 1: W1; paragraph [0015], line 12); and a controller (Fig. 1: 42; paragraph [0012], line 13) configured to: receive a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), determine a first weighting factor value (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of ingress data packets based

on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2), and adjust an amount (paragraph [0016], lines 8-10) of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor (Fig. 1: W1; paragraph [0015], line 12) used by the first rate limiter (Fig. 1: 20; paragraph [0012], line 7) based on both the determined first weighting factor value (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure signal (Fig. 1: 40; paragraph [0015], line 2)."

The subject matter recited in independent claim 30 includes: "A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system (Fig. 1: 10; paragraph [0012], line 1) for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising: instructions for receiving, by a controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), a backpressure signal (Fig. 1: 40; paragraph [0015], line 2), wherein the backpressure signal (Fig. 1: 40; paragraph [0015], line 2) indicates a period of congestion; instructions for determining, by the controller (Fig. 1: 42; paragraph [0012], line 13) of the traffic flow control system (Fig. 1: 10; paragraph [0012], line 1), at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) to be applied to the flow of data packets based on the received backpressure signal (Fig. 1: 40; paragraph [0015], line 2); and instructions for adjusting an amount (paragraph [0016], lines 8-10) of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor (Fig. 1: W1; paragraph [0015], line 12) and a content (Fig. 1: BP; paragraph [0015], line 2) of the backpressure (Fig. 1: 40; paragraph [0015], line 2)."

<div align="right">Application No. 13/360,310
Our Ref. No. ALC 3328-CON</div>

III.   ARGUMENT

A.   <u>Obviousness Rejections of Claims 17-19, 21-23, 30-32, 34-36</u>

On pages 6-11, the Office Action rejects claims 17-19, 21-23, 30-32, and 34-36 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,952,424 to Bass et al. ("Bass") in view of Pub. No. US 2006/0248242 to Andersen et al. ("Andersen"), mistakenly listed as Anderson in the Office Action, and further in view of Pub. No. US2004/0015599 to Trinh et al. ("Trinh"), mistakenly listed at Trinth in the Office Action.

Rejections on obviousness grounds cannot be sustained with mere conclusory statements. Instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. See *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) and M.P.E.P. § 2142. The final Office Action failed to provide articulated reasoning to support its obviousness rejections. Hence, as described below, the final Office Action has failed to present a *prima facie* case of obviousness for any of the rejected claims.

The USPTO bears the initial burden of showing a *prima facie* case of obviousness. See *In re Sullivan*, 498 F.3d 1345, 1351 (Fed. Cir. 2007). When a *prima facie* case of obviousness is made, the burden then shifts to the Applicant to come forward with evidence and/or argument supporting patentability. See *In re Glaug*, 283 F.3d 1335, 1338 (Fed. Cir. 2002). Appellant respectfully submits that the final Office Action did not carry the burden in this case.

<div align="right">
Application No. 13/360,310
Our Ref. No. ALC 3328-CON
</div>

1. Independent Claims 17 and 30

Claim 17 recites, in part: "adjusting an **amount of rate limiting** applied to at least a portion of the flow of data packets based on **both** the determined at least one weighting factor and a **content** of the backpressure signal" (emphasis added).   Similar subject matter appears in claim 30. Appellant respectfully submits that the references of record fail to disclose, suggest, or teach this subject matter.

On page 7, the Office Action concedes that Bass does not disclose this subject matter. To remedy this deficiency, the Examiner cites various paragraphs from Trinh. However, the Examiner fails to show adjustment of an **amount of rate limiting** based upon the two recited factors.

On page 3, the Examiner alleges that the claim language "does not disclose 'amount' means how much amount." In response, Appellant respectfully submits that the plain meaning of the claim language requires adjustment of the **amount of rate limiting** based on **both** the determined at least one weighting factor and a **content** of the backpressure signal. Both factors determine "how much amount."

Trinh does not adjust amounts of rate limiting. Instead, of controlling an amount, paragraph [181] of Trinh discloses, for bit 63 of double word zero, "If this bit is set to one, then the flow is valid. Otherwise, when . . . zero, the flow is invalid." Thus, it alternates between valid and invalid flows rather than adjusting an amount of rate limiting as claimed. Accordingly, Trinh cannot remedy the admitted deficiency of Bass.

Paragraph [0233] of Trinh discloses "flow control information" in the context of "sends flow control information to the egress network processor 624 so that it can inform the ingress network processor 622 not to send data." Paragraph [0234] of Trinh discloses, in part: "data should

<div align="center">- 5 -</div>

not be sent to this logical port." Rather than adjusting an **amount** of rate limiting, Trinh stops all data at a particular port.

`   As described above, the final Office Action did not present a *prima facie* case of obviousness. The other references of record fail to remedy the deficiencies of Bass and Trinh. Thus, Appellant respectfully submits that independent claims 17 and 30 are allowable over the references of record and requests withdrawal of the rejections of claims 17 and 30.

2.   Dependent Claims 18, 19, 21-23, 31, 32, and 34-36

Claims 18, 19, and 21-23 depend from claim 17.   Claims 31, 32, and 34-36 depend from claim 30.   Thus, claims 18, 19, 21-23, 31, 32, and 34-36 are allowable at least due to their respective dependencies from allowable base claims.   Therefore, Appellant respectfully requests withdrawal of the rejections of claims 18, 19, 21-23, 31, 32, and 34-36.

- 8 -

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Application No. 13/360,310
Our Ref. No. ALC 3328-CON
</div>

B.   <u>**Obviousness Rejections of Claims 24-26, 28, and 29**</u>

On pages 11-17, the Office Action rejects claims 24-29 under 35 U.S.C. § 103(a) as allegedly unpatentable over Bass in view of Andersen, further in view of U.S. Patent No. 6,788,686 to Khotimsky et al. ("Khotimsky"), and even further in view of Trinh. During an interview on March 16, 2015, Examiner Choudhry conceded that claim 27 contained allowable subject matter and should only be "objected to as being dependent upon a rejected base claim."

1.   Independent Claim 24

Claim 24 recites, in part: "adjust an **amount of rate limiting** applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on **both** the determined first weighting factor value and a **content** of the backpressure signal" (emphasis added).   Appellant respectfully submits that the references of record, alone or in combination, fail to disclose, suggest, or teach this subject matter.

On page 13, the Office Action concedes that Bass does not disclose this subject matter. To remedy this admitted deficiency, the Examiner cites various paragraphs from Trinh. However, the Examiner fails to show adjustment of an **amount of rate limiting** based upon the two recited factors. As described above, Trinh alternates between valid and invalid flows rather than adjusting an amount of rate limiting as claimed.

Khotimsky fails to remedy the deficiencies of Bass in view of Andersen, and further in view of Trinh. Thus, Applicant respectfully submits that claim 24 is allowable over the references of record and requests withdrawal of the rejection of claim 24.

2.   Dependent Claims 25, 26, 28, and 29

Claims 25, 26, 28, and 29 depend from claim 24.   Thus, claims 25, 26, 28, and 29 are allowable at least due to their dependencies from an allowable base claim.   Therefore, Appellant respectfully requests withdrawal of the rejections of claims 25, 26, 28, and 29.

Application No. 13/360,310
Our Ref. No. ALC 3328-CON

CONCLUSION

For at least the reasons discussed above, Appellant respectfully submits that the rejections are in error, and that claims 17-19, 21-26, 28-32, and 34-36 are in condition for allowance. Therefore, Appellant respectfully requests that this Honorable Board reverse the rejections of claims 17-19, 21-26, 28-32, and 34-36.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: __April 17, 2015__   _____/Terry W. Kramer/_____
                                        Terry W. Kramer
                                        Registration No. 41,541

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- 11 -

IV. CLAIMS APPENDIX

CLAIMS INVOLVED IN THE APPEAL:

1-16.   (Canceled)

17.   (Rejected) A method performed by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the method comprising:

receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure signal.

18.   (Rejected) The method of claim 17, wherein the step of determining at least one weighting factor comprises:

determining, based on the backpressure signal, a set of weighting factors; and

the step of adjusting the amount of rate limiting comprises:

adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

19.   (Rejected) The method of claim 17, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

20.   (Objected) The method of claim 19, wherein the step of determining at least one weighting factor further comprises:

        reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

21.   (Rejected) The method of claim 17, further comprising:

        receiving the backpressure signal from a downstream data processing unit.

22.   (Rejected) The method of claim 17, further comprising:

        generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

23.   (Rejected) The method of claim 17, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

24.   (Rejected) A traffic flow control system for controlling a flow of ingress data packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller configured to:

receive a backpressure signal,

determine a first weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by adjusting the first weighting factor used by the first rate limiter based on both the determined first weighting factor value and a content of the backpressure signal.

25.   (Rejected) The traffic flow control system of claim 24, further comprising:

a second rate limiter configured to provide an amount of rate limiting to a second portion of the flow of ingress data packets that is different from the first portion of the flow of ingress data packets, the amount of rate limiting of the second rate limiter being dependent upon a second weighting factor, wherein the controller is further configured to determine a second weighting factor value to be applied to the flow of ingress data packets based on the received backpressure signal, and adjust an amount of rate limiting applied to the second portion of the flow of ingress data packets by adjusting the second weighting factor used by the second rate limiter based on the determined second weighting factor value.

26.   (Rejected) The traffic flow control system of claim 24, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

27.   (Objected) The traffic flow control system of claim 26, wherein, in determining the first weighting factor value, the controller is configured to read the first weighting factor value from a mapping of various fill level states for the at least one packet queue to various weighting factor values.

28.   (Rejected) The traffic flow control system of claim 24, wherein the controller is further configured to generate a traffic preference message for transmission to a source of the flow of ingress data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined first weighting factor value.

29.   (Rejected) The traffic flow control system of claim 24, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

30.   (Rejected)   A non-transitory machine-readable storage medium encoded with instructions for execution by a traffic flow control system for performing flow control on a flow of data packets for transmission over a link, the non-transitory machine-readable storage medium comprising:

instructions for receiving, by a controller of the traffic flow control system, a backpressure signal, wherein the backpressure signal indicates a period of congestion;

instructions for determining, by the controller of the traffic flow control system, at least one weighting factor to be applied to the flow of data packets based on the received backpressure signal; and

instructions for adjusting an amount of rate limiting applied to at least a portion of the flow of data packets based on both the determined at least one weighting factor and a content of the backpressure.

31.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the instructions for determining at least one weighting factor comprise

instructions for determining, based on the backpressure signal, a set of weighting factors; and

the instructions for adjusting the amount of rate limiting comprise:

instructions for adjusting an amount of rate limiting with respect to a first type of data packet traffic based on a first weighting factor of the set of weighting factors, and

instructions for adjusting an amount of rate limiting with respect to a second type of data packet traffic based on a second weighting factor of the set of weighting factors.

32.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is a backpressure message that indicates a fill level state of at least one packet queue.

33.   (Objected) The non-transitory machine-readable storage medium of claim 32, wherein the instructions for determining at least one weighting factor comprise:

instructions for reading the at least one weighting factor from a mapping of various fill level states for the at least one packet queue to various weighting factors.

34.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the backpressure signal is received from a downstream data processing unit.

35.   (Rejected) The non-transitory machine-readable storage medium of claim 30, further comprising:

instructions for generating a traffic preference message for transmission to a source of the flow of data packets, the traffic preference message indicating a type of data packet preferred for transmission over the serial link in accordance with the determined at least one weighting factor.

36.   (Rejected) The non-transitory machine-readable storage medium of claim 30, wherein the content of the backpressure message indicates that at least one fill-level threshold for a packet queue has been crossed.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) ALC 3328-CON

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature_____ Typed or printed name _____	In re Application of Madsen et al.

	Application Number 13/360,310	Filed January 27, 2012

For Ingress Traffic Control in a Data Communications System

Art Unit 2462	Examiner Samina F. Choudhry

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) $ -0-_____
                                                                                                  (reinstatement of Appeal)

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: $_____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0578_____ .

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☐ attorney or agent of record.
Registration number _____ .

☑ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.   41,541_____

/Terry W. Kramer/
_____
Signature

Terry W. Kramer
_____
Typed or printed name

(703) 519-9801
_____
Telephone number

April 17, 2015
_____
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☑   *Total of 1_____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	22098408
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	17-APR-2015
Filing Date:	27-JAN-2012
Time Stamp:	16:37:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Appeal Brief Filed	Appeal_Brief.pdf	126495 b87c6337530d55cb74981c27ed35705c5c6e7d87	no	17

Warnings:	
Information:	

| 2 | Notice of Appeal Filed | NOT_APPEAL_2015.pdf | 329152 | no | 2 |
| | | | 8272f39ee0b9c17947195fb6f10d44ef9796 d3e2 | | |

Warnings:

Information:

Total Files Size (in bytes):	455647

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

76614 7590 10/08/2015		EXAMINER
Terry W. Kramer, Esq.		CHOUDHRY, SAMINA F
Kramer & Amado, P.C.		
330 John Carlyle Street		ART UNIT / PAPER NUMBER
3rd Floor		2462
Alexandria, VA 22314		DATE MAILED: 10/08/2015

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

TITLE OF INVENTION: INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	01/08/2016

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Page 1 of 3

PTOL-85 (Rev. 02/11)

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**
or <u>Fax</u>   **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

```
    76614        7590        10/08/2015
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314
```

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

TITLE OF INVENTION: INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	01/08/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOUDHRY, SAMINA F	2462	370-235000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:
❑ Issue Fee
❑ Publication Fee (No small entity discount permitted)
❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
❑ A check is enclosed.
❑ Payment by credit card. Form PTO-2038 is attached.
❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

Page 2 of 3

PTOL-85 Part B (10-13) Approved for use through 10/31/2013.   OMB 0651-0033   U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

EXAMINER
CHOUDHRY, SAMINA F

76614   7590   10/08/2015
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

ART UNIT	PAPER NUMBER
2462	

DATE MAILED: 10/08/2015

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 02/11)

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)
Examiner-Initiated Interview Summary	13/360,310	MADSEN ET AL.
	Examiner	**Art Unit**	
	SAMINA CHOUDHRY	2462	

All participants (applicant, applicant's representative, PTO personnel):

(1) *SAMINA CHOUDHRY*.   (3)_____.

(2) *Patric Wamsley*.   (4)_____.

Date of Interview: *29 September 2015*.

Type: ☒ Telephonic   ☐ Video Conference
         ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes   ☐ No.
    If Yes, brief description: _____.

Issues Discussed   ☒101 ☐112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *24*.

Identification of prior art discussed: _____.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner proposed claim amendment to overcome 101 issues. Applicant agreed with the proposed amendment.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/SAMINA CHOUDHRY/ Primary Examiner, Art Unit 2462	

Notice of Allowability	Application No. 13/360,310	Applicant(s) MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	Art Unit 2462	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *08/12/2014*.

    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are *17-36*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    Certified copies:

        a) ☐ All   b) ☐ Some   *c) ☐ None of the:

            1. ☐ Certified copies of the priority documents have been received.

            2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

            3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

4. ☒ Interview Summary (PTO-413), Paper No./Mail Date *09/29/2015* .

5. ☒ Examiner's Amendment/Comment

6. ☐ Examiner's Statement of Reasons for Allowance

7. ☐ Other _____ .

/SAMINA CHOUDHRY/
Primary Examiner, Art Unit 2462

Application/Control Number: 13/360,310   Page 2
Art Unit: 2462

<div align="center">**EXAMINER'S AMENDMENT**</div>

1.   An examiner's amendment to the record appears below. Should the changes and/or additions

be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure

consideration of such an amendment, it MUST be submitted no later than the payment of the issue

fee. Authorization for examiner's amendment was given in a telephone interview with the attorney

of record, Mr. Wamsley on September 29, 2015. The application has been amended as follows:

2.   <u>In the Claims</u>

24.   (Currently Amended) A traffic flow control system for controlling a flow of ingress data

packets to be transmitted over a link, the traffic flow control system comprising:

a first rate limiter configured to provide an amount of rate limiting to a first portion of the flow of

ingress data packets, the amount of rate limiting being dependent upon a first weighting factor; and

a controller, <u>where in the controller comprises a processor,</u> configured to:

receive a backpressure signal,

determine a first weighting factor value to be applied to the flow of ingress data packets based on

the received backpressure signal, and

adjust an amount of rate limiting applied to the first portion of the flow of ingress data packets by

adjusting the first weighting factor used by the first rate limiter based on both the determined first

weighting factor value and a content of the backpressure signal.

<div align="center">***Conclusion***</div>

Application/Control Number: 13/360,310   Page 3
Art Unit: 2462

3.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to SAMINA CHOUDHRY whose telephone number is (571)270-7102. The

examiner can normally be reached on Monday to Thursday (7:30 a.m. to 5.00p.m.).

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Yemane Mesfin can be reached on (571)272-3927. The fax phone number for the organization

where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 /SAMINA CHOUDHRY/

 Primary Examiner, Art Unit 2462

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	13/360,310	MADSEN ET AL.
	Examiner	Art Unit
	SAMINA CHOUDHRY	2462

All participants (applicant, applicant's representative, PTO personnel):

(1) *SAMINA CHOUDHRY*.   (3) _____.

(2) *Patric Wamsley*.   (4) _____.

   Date of Interview: *29 September 2015*.

   Type: ☒ Telephonic   ☐ Video Conference
          ☐ Personal [copy given to: ☐ applicant   ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes   ☐ No.
   If Yes, brief description: _____.

Issues Discussed   ☒101 ☐112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *24*.

   Identification of prior art discussed: _____.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner proposed claim amendment to overcome 101 issues. Applicant agreed with the proposed amendment.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/SAMINA CHOUDHRY/ Primary Examiner, Art Unit 2462	

UNITED STATES PATENT AND TRADEMARK OFFICE

BIB DATA SHEET

CONFIRMATION NO. 1373

SERIAL NUMBER 13/360,310	FILING or 371(c) DATE 01/27/2012 RULE	CLASS 370	GROUP ART UNIT 2462	ATTORNEY DOCKET NO. ALC 3328-CON

APPLICANTS

INVENTORS
    John Madsen, Ottawa, CANADA;
    Joey Chow, Nepean, CANADA;
    Dion Pike, Stittsville, CANADA;

** **CONTINUING DATA** **************************
    This application is a CON of 11/907,871 10/18/2007 PAT 8130649

** **FOREIGN APPLICATIONS** *************************

** **IF REQUIRED, FOREIGN FILING LICENSE GRANTED** **
    02/07/2012

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /SAMINA F CHOUDHRY/ ___ Examiner's Signature	☐ Met after Allowance ___ Initials	STATE OR COUNTRY CANADA	SHEETS DRAWINGS 1	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 3

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Alexandria, VA 22314
UNITED STATES

TITLE

INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

FILING FEE RECEIVED 1250	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

BIB (Rev. 05/07).

Search Notes	**Application/Control No.**	**Applicant(s)/Patent Under Reexamination**
	13360310	MADSEN ET AL.
	Examiner	**Art Unit**
	SAMINA CHOUDHRY	2462

CPC- SEARCHED

Symbol	Date	Examiner
H04L 47/10	3/20/2014	SC
Updated above search	09/21/2015	SC

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner
H04L 5/0053, H04L 12/5602, H04L 2012/5636	03/20/2014	SC
Updated above search	09/21/2015	SC

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
		03/19/2014	

SEARCH NOTES

Search Notes	Date	Examiner
EAST search with all databases		
keyword search	03/19/2014	SC
370/235,229,464,465,468	03/19/2014	SC
Assignee and Inventorship Search done	03/19/2014	SC
Updated EAST search	07/15/2014	SC
UpdatedAssignee and Inventorship Search done	07/15/2014	SC
Updated EAST search	08/08/2014	SC
UpdatedAssignee and Inventorship Search done	08/08/2014	SC
Updated EAST search	02/20/2015	SC
UpdatedAssignee and Inventorship Search done	02/20/2015	SC
Updated EAST search	09/22/2015	SC
UpdatedAssignee and Inventorship Search	09/22/2015	SC

INTERFERENCE SEARCH

U.S. Patent and Trademark Office   Part of Paper No. : 20150929

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	Please see the attached EAST search history.	08/09/2014	SC
	Update above search.	09/23/2015	SC

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L2	1564	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L3	1	L1 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L4	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L5	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L6	4	L4 or L5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L7	3	L6 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L8	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L9	1	L8 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
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L11	2	L6 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
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L13	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
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L15	1	L5 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
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			DERWENT; IBM_TDB			
L17	1	L16 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L18	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L19	1564	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L20	1	L18 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L21	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L22	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L23	4	L21 or L22	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L24	3	L23 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L25	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L26	1	L25 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L27	1	L23 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L28	2	L23 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L29	95	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L30	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L31	1	L30 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L32	1	L22 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L33	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L34	1	L33 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L35	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:23

			DERWENT; IBM_TDB			
L36	1564	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L37	1	L35 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L38	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L39	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L40	4	L38 or L39	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L41	3	L40 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L42	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L43	1	L42 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L44	1	L40 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L45	2	L40 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L46	95	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L47	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L48	1	L47 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L49	1	L39 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L50	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L51	1	L50 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L52	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L53	1564	harper.xp.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L54	1	L52 and (speech near2 subroutine)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:23

			DERWENT; IBM_TDB			
L55	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L56	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L57	4	L55 or L56	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L58	3	L57 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L59	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L60	1	L59 and (program or code or instructions or software or computer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L61	1	L57 and (pause or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L62	2	L57 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L63	95	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L64	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L65	1	L64 and (pause or halt$3 or stop$4 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L66	1	L56 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L67	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23
L68	1	L67 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:23

9/30/2015 12:26:03 AM
C:\Users\schoudhry\Documents\EAST\Workspaces\13360310_1.wsp

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	10662	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L2	1029	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L3	496	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L4	98000	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L5	3	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L6	3	L3 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L7	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L8	2	"6570848".pn.	US-PGPUB;	ADJ	ON	2015/09/30

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			00:14
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L10	6	L8 or L9	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L11	2	L10 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L12	5	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L13	2	L12 not L6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L14	11	L3 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
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L16	1	L15 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	ON	2015/09/30 00:14

			IBM_TDB			
L17	1	L15 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L18	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L19	95	"6788686"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L20	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L21	5	L18 or L20	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L22	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L23	2	L21 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L24	2	L23 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L25	3	"20130132573"	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/09/30 00:14

			JPO; DERWENT; IBM_TDB			
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L27	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L28	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L29	5	L27 or L28	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L30	3	L29 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L31	3	L29 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L32	3	L29 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L33	1	L29 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L34	2	"6952424".pn.	US-PGPUB; USPAT;	ADJ	ON	2015/09/30 00:14

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L35	1	L34 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L36	1	L34 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L37	1	L34 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L38	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L39	1	L38 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L40	2	L29 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L41	1	L29 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L42	1	L29 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14

L43	325879	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L44	98371	((weight or weigh$3)with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L45	4849	L44 and (flow near2 control)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L46	1719	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L47	43	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L48	49	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L49	465	L45 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L50	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L51	3	L48 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:14

			DERWENT; IBM_TDB			
L52	77	L49 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L53	27	L49 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L54	25350	(network and (weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L55	538	(network and (weight or weigh$3) with (paus$3 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L56	26	L55 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L57	173	L55 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L58	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L59	2	L58 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L60	2	"20040257997"	US-PGPUB; USPAT; USOCR;	ADJ	ON	2015/09/30 00:14

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
L61	2	L60 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L62	1	L60 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L63	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L64	2	L63 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L65	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L66	1	L65 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L67	1	L65 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L68	1	L65 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L69	1	L65 and (back)	US-PGPUB;	ADJ	ON	2015/09/30

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			00:14
L70	1	L65 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L71	1	L65 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L72	1	L65 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L73	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L74	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L75	1	L74 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L76	1	L74 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L77	1	L74 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	ON	2015/09/30 00:14

			IBM_TDB			
L78	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L79	1	L78 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L80	1	L78 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L81	13	"7802028".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L82	1	L81 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L83	1	L81 and (congest$4 same (stop$3 or paus$3 or stop$4 or halt$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L84	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L85	2	L84 and (congestion same pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L86	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/09/30 00:14

			JPO; DERWENT; IBM_TDB			
L87	1	L86 and (weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L88	1	L86 and (weigh$3 and (pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L89	2	L84 and (backpressure or back pressure or halt$3 or stop$4 or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L90	2	L84 and ((backpressure or back pressure or halt$3 or stop$4 or pause) and (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L91	2	L84 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L92	1	L86 and ((pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L93	2	L86 and (threshold or level or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L94	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L95	1	L94 and (Flow or pause or stop$3 or halt$3 or backpressure or back	US-PGPUB; USPAT;	ADJ	ON	2015/09/30 00:14

		pressure)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L96	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L97	1	L96 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L98	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L99	1	L98 and ((weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L100	1	L98 and ((weight or weigh$3) and (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L101	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L102	1	L101 and (indicator)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L103	1	L94 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14

L104	1	L94 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L105	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L106	2	L105 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L107	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L108	1	L107 and (controller)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L109	1	L96 and (controller with pause or stop$3 or halt$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L110	1	L96 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L111	1	L98 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L112	1	L96 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:14

			DERWENT; IBM_TDB			
L113	1	L98 and (portion or part)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L114	1	L94 and (portion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L115	6	"11907871"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L116	3	"8130649".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L117	2	L116 and (set near2 weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L118	1	L116 and (set near2 weigh$4).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L119	1	L116 and (cross$3 or threshold).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L120	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L121	1	L120 and (control$4)	US-PGPUB; USPAT; USOCR;	ADJ	ON	2015/09/30 00:14

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
L122	41460	h04l47/10.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L123	5612	h04l12/5602.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L124	2917	h04l2012/5636.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L125	27295	h04l5/0053.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L126	74333	L122 or L123 or L124 or L125	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L127	35	L126 and ((weight or weigh$3) with (paus or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L128	39	L126 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L129	137	L126 and ((weight or weigh$3) same (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L130	75	L129 and (network with flow)	US-PGPUB;	ADJ	ON	2015/09/30

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			00:14
L131	59866	370/329,335,464,465,468.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L132	8614	L131 and (pause or halt$3 or stop$4 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L133	27	L131 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L134	2	L130 and L133	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L135	25	L133 not L134	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L136	2	L135 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L137	15	L135 and (network and flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L138	10662	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	ON	2015/09/30 00:14

			IBM_TDB			
L139	1029	(back pressure or paus$3 or halt$3 or stop$4) same (congestion or congest$3) same (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L140	496	(back pressure or paus$3 or halt$3 or stop$4) with (congestion or congest$3) with (flow near2 control$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L141	98000	(back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L142	3	L140 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L143	3	L140 and ((back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L144	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L145	2	"6570848".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L146	4	"6031821".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L147	6	L145 or L146	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/09/30 00:14

			JPO; DERWENT; IBM_TDB			
L148	2	L147 and (weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L149	5	L140 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L150	2	L149 not L143	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L151	11	L140 and (back pressure or paus$3 or halt$3 or stop$4) with (weigh$3 or weight or proportion or percentage or percent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L152	2	"6170022".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L153	1	L152 and (percent or percentage or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L154	1	L152 and (percent$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L155	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L156	95	"6788686"	US-PGPUB; USPAT;	ADJ	ON	2015/09/30 00:14

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L157	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L158	5	L155 or L157	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L159	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L160	2	L158 and (backpressure or back pressure or paus$3 or halt$3 or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L161	2	L160 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L162	3	"20130132573"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L163	1	L162 and (embed$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L164	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14

L165	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L166	5	L164 or L165	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L167	3	L166 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L168	3	L166 and (flow or (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L169	3	L166 and (flow or (backpressure or back pressure) or (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L170	1	L166 and ((backpressure or back pressure or paus$3 or halt$3) with (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L171	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L172	1	L171 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L173	1	L171 and ((weight or weigh$3) with (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:14

			DERWENT; IBM_TDB			
L174	1	L171 and ((weight or weigh$3) and (back pressure or halt or paus$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L175	2	"6967923".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L176	1	L175 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L177	2	L166 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L178	1	L166 and ((weight or weigh$3) with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L179	1	L166 and ((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L180	325879	((weight or weigh$3) same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L181	98371	((weight or weigh$3)with (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L182	4849	L181 and (flow near2 control)	US-PGPUB; USPAT; USOCR;	ADJ	ON	2015/09/30 00:14

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
L183	1719	L182 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L184	43	L182 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L185	49	L182 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L186	465	L182 and ((adjust$3 or chang$3 or modif$5) with (weight or weigh$3) with (back pressure or backpressure or paus$3 or halt$3 or stop$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L187	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L188	3	L185 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L189	77	L186 and (network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L190	27	L186 and (network and (packet or frame))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L191	25350	(network and (weight or weigh$3)	US-PGPUB;	ADJ	ON	2015/09/30

		same (paus$3 or halt$3 or stop$4 or backpressure or back pressure))	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			00:14
L192	538	(network and (weight or weigh$3) with (paus$3 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L193	26	L192 and (network with (flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L194	173	L192 and ((flow near2 control$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L195	3	"20060187945"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L196	2	L195 and (weight$3 or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L197	2	"20040257997"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L198	2	L197 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L199	1	L197 and ((weight or weigh$3) with (backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	ON	2015/09/30 00:14

			IBM_TDB			
L200	14	"7701957".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L201	2	L200 and (backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L202	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L203	1	L202 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L204	1	L202 and (weight or weigh$3 or back prssure or pause or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L205	1	L202 and (weight or weigh$3 or back prssure or pause or backpressure or halt or stop$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L206	1	L202 and (back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L207	1	L202 and (flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L208	1	L202 and (flow and back)	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/09/30 00:14

			JPO; DERWENT; IBM_TDB			
L209	1	L202 and (paus$3 or stop$4 or halt$3 or back)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L210	5	"20020091527"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L211	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L212	1	L211 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L213	1	L211 and ((back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L214	1	L211 and (congest$5 and (back pressure or pause or halt$3 or stop$4 or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L215	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L216	1	L215 and (congest$5)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L217	1	L215 and (congest$5 and (back pressure or pause or halt$3 or	US-PGPUB; USPAT;	ADJ	ON	2015/09/30 00:14

		stop$4 or backpressure))	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L218	13	"7802028".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L219	1	L218 and (congest$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L220	1	L218 and (congest$4 same (stop$3 or paus$3 or stop$4 or halt$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L221	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L222	2	L221 and (congestion same pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L223	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L224	1	L223 and (weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L225	1	L223 and (weigh$3 and (pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14

L226	2	L221 and (backpressure or back pressure or halt$3 or stop$4 or pause)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L227	2	L221 and ((backpressure or back pressure or halt$3 or stop$4 or pause) and (weigh$3 or weight))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L228	2	L221 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L229	1	L223 and ((pause or halt$3 or stop$4 or backpressure or back pressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L230	2	L223 and (threshold or level or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L231	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L232	1	L231 and (Flow or pause or stop$3 or halt$3 or backpressure or back pressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L233	2	"6324165".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L234	1	L233 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	ON	2015/09/30 00:14

			DERWENT; IBM_TDB			
L235	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L236	1	L235 and ((weight or weigh$3) with (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L237	1	L235 and ((weight or weigh$3) and (back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L238	2	"6952424".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L239	1	L238 and (indicator)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L240	1	L231 and (weight or weigh$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L241	1	L231 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L242	3	"20060248242"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L243	2	L242 and (control$4)	US-PGPUB; USPAT; USOCR;	ADJ	ON	2015/09/30 00:14

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
L244	3	"6788686".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L245	1	L244 and (controller)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L246	1	L233 and (controller with pause or stop$3 or halt$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L247	1	L233 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L248	1	L235 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L249	1	L233 and (controller with pause or stop$3 or halt$3 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L250	1	L235 and (portion or part)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L251	1	L231 and (portion)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L252	6	"11907871"	US-PGPUB;	ADJ	ON	2015/09/30

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			00:14
L253	3	"8130649".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L254	2	L253 and (set near2 weigh$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L255	1	L253 and (set near2 weigh$4).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L256	1	L253 and (cross$3 or threshold).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L257	1	"13360310"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L258	1	L257 and (control$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L259	41460	h04l47/10.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L260	5612	h04l12/5602.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	ON	2015/09/30 00:14

			IBM_TDB			
L261	2917	h04l2012/5636.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L262	27295	h04l5/0053.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L263	74333	L259 or L260 or L261 or L262	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L264	35	L263 and ((weight or weigh$3) with (paus or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L265	39	L263 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L266	137	L263 and ((weight or weigh$3) same (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L267	75	L266 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L268	59866	370/329,335,464,465,468.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L269	8614	L268 and (pause or halt$3 or stop$4 or back pressure or backpressure)	US-PGPUB; USPAT; USOCR; FPRS; EPO;	ADJ	ON	2015/09/30 00:14

			JPO; DERWENT; IBM_TDB			
L270	27	L268 and ((weight or weigh$3) with (pause or halt$3 or stop$4 or back pressure or backpressure))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L271	2	L267 and L270	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L272	25	L270 not L271	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L273	2	L272 and (network with flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14
L274	15	L272 and (network and flow)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/09/30 00:14

9/30/2015 12:22:43 AM
C:\Users\schoudhry\Documents\EAST\Workspaces\13360310.wsp

EAST Search History

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	4	((flow with control) and ((backpressure or halt) same (weight or weig$4))).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:32
L3	5	((flow with control) and ((backpressure or halt) same (weight or weigh$4))).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:33
L4	1	3 not 2	USPAT; UPAD	ADJ	ON	2015/09/29 23:33
L7	123	((flow with control) and ((backpressure or halt) and (rate with flow))).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:34
L8	7	7 and (weigh$5 or weight).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:34
L10	6	7 and (lucent).asn.	USPAT; UPAD	ADJ	ON	2015/09/29 23:35
L11	1	10 and (weight or weigh$5).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:36
L12	1	10 and (weight$5 or weigh$5).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:37
L13	1	10 and (weigh$5 or weight).clm.	USPAT; UPAD	ADJ	ON	2015/09/29 23:37

9/29/2015 11:37:43 PM
C:\Users\schoudhry\Documents\EAST\Workspaces\13360310_Allowance_2.wsp

Issue Classification	**Application/Control No.** 13360310	**Applicant(s)/Patent Under Reexamination** MADSEN ET AL.
	Examiner SAMINA CHOUDHRY	**Art Unit** 2462

CPC

Symbol				Type	Version
H04L	47	/	10	F	2013-01-01
H04L	47	/	2441	I	2013-01-01
H04L	47	/	263	I	2013-01-01
H04L	47	/	29	I	2013-01-01
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		/			
		/			

CPC Combination Sets

Symbol				Type	Set	Ranking	Version

NONE		**Total Claims Allowed:**	
		20	
(Assistant Examiner)	(Date)		
/SAMINA CHOUDHRY/ Primary Examiner.Art Unit 2462	09/28/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Part of Paper No. 20150929

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13360310	MADSEN ET AL.
	Examiner	**Art Unit**
	SAMINA CHOUDHRY	2462

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION						
CLASS	**SUBCLASS**	**CLAIMED**					**NON-CLAIMED**	
370	235	H	0	4	L	5 / 12 (2006.01.01)					

CROSS REFERENCE(S)	
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	20	
/SAMINA CHOUDHRY/ Primary Examiner.Art Unit 2462	09/28/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No. 20150929

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13360310	MADSEN ET AL.
	Examiner	**Art Unit**
	SAMINA CHOUDHRY	2462

☒ **Claims renumbered in the same order as presented by applicant**   ☐ CPA   ☒ T.D.   ☐ R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
-	1	1	17	17	33										
-	2	2	18	18	34										
-	3	3	19	19	35										
-	4	4	20	20	36										
-	5	5	21												
-	6	6	22												
-	7	7	23												
-	8	8	24												
-	9	9	25												
-	10	10	26												
-	11	11	27												
-	12	12	28												
-	13	13	29												
-	14	14	30												
-	15	15	31												
--	16	16	32												

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	20	
/SAMINA CHOUDHRY/ Primary Examiner.Art Unit 2462	09/28/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614   7590   10/15/2015
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
10/15/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Application No.	:	13360310
Applicant	:	Madsen
Filing Date	:	01/27/2012
Date Mailed	:	10/15/2015

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given two (2) months from the mail date of this Notice within which to respond. This time period for reply is extendable under 37 CFR 1.136(a) for only TWO additional MONTHS.

The informalities requiring correction are indicated in the attachment(s). If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to respond within the above-identified time period will result in the application being ABANDONED.

See attachment(s).

A copy of this notice MUST be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".

/Carlota Erana/
Publication Branch
Office of Data Management
(571) 272-4200

Application No. 13360310

IDENTIFICATION OF APPLICATION DEFICIENCIES
IN APPLICATION FILED <u>BEFORE</u> SEPTEMBER 16, 2012

☐ Applicant must provide legible text for the following item(s).

 ☐ Specification filed , page(s) .

 ☐ Claims filed , claim(s) .

 ☐ Other:

☒ Applicant must provide missing information on the following page(s) of the specification by amending the specification to add the missing text. No new matter may be added.
Page/line no(s). <u>Page 4 para. 0011 line 4 is incomplete. It ends with the word "and"</u>

☐ The specification refers to one or more applications by attorney docket number and does not show the U.S. application number(s). Applicant must supply the U.S. application number in place of each attorney docket number.
Page/line no(s).

☐ Applicant must provide an Abstract of the Disclosure.

☐ The Application Data Sheet (ADS dated) did not show the inventor's residence at all, or did not show both a city and state in the U.S. inventor's residence, or did not show both a city and country in the non-U.S. inventor's residence. Applicant must supply a Supplemental Application Data Sheet (ADS) that shows each U.S. inventor's city and state of residence and each non-U.S. inventor's city and country of residence. To be in compliance with 37 CFR 1.76, the Supplemental Application Data Sheet must identify the information being changed by using underlining for additions and strikethroughs or brackets for deletions.

☐ Other:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	John Madsen
For	Ingress Traffic Flow Control in a Data Communications System
Serial Number	13/360,310
Filed	January 27, 2012
Art Unit	2462
Examiner	Samina F. Choudhry
Attorney Docket Number	ALC 3328-CON
Confirmation Number	1373

AMENDMENT UNDER 37 C.F.R § 1.312

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers mailed October 15, 2015, and further, to the Notice of Allowance mailed October 8, 2015, please amend the above-identified application as set forth below:

AMENDMENTS TO THE SPECIFICATION begin on page 2 of this paper.

REMARKS begin on page 3 of this paper.

<u>AMENDMENTS TO THE SPECIFICATION</u>

Please amend the specification as follows:

Page 4, paragraph [0011]:

[0011] The invention will be further understood from the following detailed description with reference to the drawings, in which:

Figure 1 is a high-level block diagram of an ingress traffic flow control system according to an embodiment of the invention[[; and]].

Application No: 13/360,310
Attorney Docket No: ALC 3328-CON

REMARKS

The specification has been amended to correct a minor typographical error.   No further amendments have been introduced, and the amendments so not introduce new matter.

CONCLUSION

Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: October 28, 2015   /Terry W. Kramer/
Terry W. Kramer
Registration No.: 41,541

KRAMER & AMADO, P.C.
330 John Carlyle Street, 3rd Floor
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802

Electronic Acknowledgement Receipt

EFS ID:	23921676
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Terry Wayne Kramer/wendy spradlin
Filer Authorized By:	Terry Wayne Kramer
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	28-OCT-2015
Filing Date:	27-JAN-2012
Time Stamp:	17:28:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Amendment_312.pdf	60303 2ea13807a33e45735b816ef3728bb54dc97cb641	yes	3

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment after Notice of Allowance (Rule 312)	1	1
Specification	2	2
Applicant Arguments/Remarks Made in an Amendment	3	3

Warnings:

Information:

	Total Files Size (in bytes):	60303

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

76614   7590   11/02/2015
Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

EXAMINER
CHOUDHRY, SAMINA F

ART UNIT	PAPER NUMBER
2462	

NOTIFICATION DATE	DELIVERY MODE
11/02/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@krameramado.com

PTOL-90A (Rev. 04/07)

Response to Rule 312 Communication	**Application No.** 13/360,310	**Applicant(s)**
	Examiner	**Art Unit**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on *28 October 2015* under 37 CFR 1.312 has been considered, and has been:

  a) ☒ entered.

  b) ☐ entered as directed to matters of form not affecting the scope of the invention.

  c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
      Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1)
      and the required fee to withdraw the application from issue.

  d) ☐ disapproved. See explanation below.

  e) ☐ entered in part. See explanation below.

N.Y. Horne

PUBLISHING DIVISION

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or <u>Fax</u>   (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

76614   7590   10/08/2015

Terry W. Kramer, Esq.
Kramer & Amado, P.C.
330 John Carlyle Street
3rd Floor
Alexandria, VA 22314

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

	(Depositor's name)
	(Signature)
	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	01/27/2012	John Madsen	ALC 3328-CON	1373

TITLE OF INVENTION: INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	01/08/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOUDHRY, SAMINA F	2462	370-235000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1 Kramer & Amado, P.C. 2 _____ 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE (CITY and STATE OR COUNTRY)

Alcatel Lucent   -   Boulogne-Billancourt, France

Please check the appropriate assignee category or categories (will not be printed on the patent):   ☐ Individual   ☒ Corporation or other private group entity   ☐ Government

4a. The following fee(s) are submitted: ☒ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies _____	4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) ☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. 12-2325 ☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____   Date 12-30-15

Typed or printed name   Patty Giebler   Registration No. _____

Page 2 of 3

Electronic Patent Application Fee Transmittal

Application Number:	13360310
Filing Date:	27-Jan-2012
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Filer:	Gregory J. Murgia/Patty Giebler
Attorney Docket Number:	ALC 3328-CON

Filed as Large Entity

Filing Fees for   Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	960	960

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**960**

Electronic Acknowledgement Receipt

EFS ID:	24489414
Application Number:	13360310
International Application Number:	
Confirmation Number:	1373
Title of Invention:	INGRESS TRAFFIC FLOW CONTROL IN A DATA COMMUNICATIONS SYSTEM
First Named Inventor/Applicant Name:	John Madsen
Customer Number:	76614
Filer:	Gregory J. Murgia/Patty Giebler
Filer Authorized By:	Gregory J. Murgia
Attorney Docket Number:	ALC 3328-CON
Receipt Date:	30-DEC-2015
Filing Date:	27-JAN-2012
Time Stamp:	12:03:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$ 960
RAM confirmation Number	13522
Deposit Account	122325
Authorized User	GIEBLER, PATTI
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	2015-12-30_801272-US-CNT_Issue_Fee_Payment.pdf	346519 a702154f4f39da5d48b81c6a024e23f54c6dc20a	no	1

Warnings:

Information:

| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30609
212d5bbef6ee3db981024f73a20c4a1e847106ac | no | 2 |

Warnings:

Information:

| | | | Total Files Size (in bytes): | 377128 | |

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/360,310	02/09/2016	9258232	ALC 3328-CON	1373

76614   7590   01/20/2016
Terry W. Kramer, Esq.
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330 John Carlyle Street
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Alexandria, VA 22314

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 738 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

John Madsen, Ottawa, CANADA;
Joey Chow, Nepean, CANADA;
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IR103 (Rev. 10/09)

AO 120 (Rev. 08/10)

TO:	**Mail Stop 8** **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	**REPORT ON THE** **FILING OR DETERMINATION OF AN** **ACTION REGARDING A PATENT OR** **TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____Western District of Texas_____ on the following

☐ Trademarks or   ☑ Patents.   (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 6:20-cv-495	DATE FILED 6/3/2020	U.S. DISTRICT COURT Western District of Texas	
PLAINTIFF WSOU INVESTMENTS, LLC d/b/a BRAZOS LICENSING AND DEVELOPMENT		DEFENDANT ZTE CORPORATION, ZTE (USA) INC.; ZTE (TX), INC.	

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	U.S. 9,258,232	2/9/2016	WSOU Investments, LLC
2			
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director   Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director   Copy 4—Case file copy